FRANZ ROSENTHAL

GAMBLING IN ISLAM

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GAMBLING IN ISLAM

BY

FRANZ ROSENTHAL

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CHAPTER ONE

INTRODUCTION

The subject of gambling is all encompassing. It combines man's natural play instinct with his desire to know about his fate and his future. It has its share in all dealings of human beings with each other and in their attitude toward their dealings with those forces which are incomprehensible to them and which have been called religious, superstitious, and supernatural. It extends to all the uncertainties of life, and, whether life is defined, with Greek and Muslim philosophers, as motion or, with the theologians, as a passing stage on the way to salvation, uncertainty is what it is all about. Fundamentally, it is nothing but an extension of the love of play which is so strong a force in man and which has never been fully tamed by sublimation through reason—reason, in turn, being merely a transformation of the play instinct from something dealing with concrete objects to an abstract endeavor. The universality of man's playful approach to his entire environment did not remain unnoticed among medieval Muslims. Already the Prophet's cousin, Ibn ʿAbbās, is supposed to have remarked that "*everything* may serve for gambling, down to the *kujjah* game of children."[1] And an unnamed poet, complaining about having to show patience in the face of his being unable to win the favor of his beloved, uses these words:

> When men play with *everything*, I behold love playing with me.[2]

"Gambling" is a term which appears to be of rather recent coinage in the English language. It seems to be a derivation from "game."[3] Its range of meaning is wide, and its use is by no means unambiguous. It can be stretched to include many other concepts such as betting and wagering, following hunches and daring others to do so. By preference, "gambling" is assumed to be restricted to contracts among two or more human beings which involve the exchange

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[1] Cf. (Ibn Manẓūr,) *Lisān (al-ʿArab)*, III, 175 (Būlāq 1300-1308), to be quoted here as *Lisān*; (Ibn Farḥ) al-Qurṭubī, *Jāmiʿ (aḥkām al-Qurʾān)*, VIII, 340 (Cairo 1387/1967). See below, p. 65.

[2] Cf. Ibn Qayyim al-Jawzīyah, *ʿUddat aṣ-ṣābirīn*, 34 (Cairo, n. y.).

[3] Cf. *Oxford English Dictionary*, IV, 35a. See also Ch. VII, n. 5.

of money or other valuables depending upon the uncertain outcome of a staged event. "Staged" is the crucial word in this definition. It limits it to games of all kinds and sporting competitions of men and animals as well as all types of lotteries. It seemingly excludes bets on such natural events, for instance, as whether it will, or will not, rain tomorrow or whether an individual will, or will not, do a certain thing. Here, we shall make an exception and consider gambling everything of the sort potentially involving the exchange of property. It can, however, be stated that the Muslim world appears to have known very little betting on events and happenings.[4]

What was the Muslim understanding of "gambling"? The technical term used for it, chosen from among many that designate specific aspects of gambling, was formed from the root *q-m-r* and the verbal noun of the third conjugation, *qimār*. Its origin is completely unclear. The root consonants include such meanings as *qamar* "moon" whose color and light effects were of tremendous importance in Bedouin life, and *qumrī*, a species of dove, as well as various geographical designations.[5] Arabic lexicographers tried to establish a connection between gambling and what they thought of as a special aspect of the "moon" complex of meanings. Thus, *taqammara* is attested in the meaning of hunting and deceiving. More particularly, it refers to a way of hunting in which the hunted animal, being confused by the moonlight, falls prey to the hunter. A verse speaking of the lion as "following in their tracks, attempting to deceive them (*yataqammaru*)" is adduced as evidence for this meaning.[6] From the meaning of "snaring by means of deception," the transition to gambling is easily made, especially where there is a firmly established aversion to it. Perhaps, this etymology is correct, but we can neither prove nor disprove it. Wherever we find an Arabic root that combines such widely divergent concepts as does *q-m-r*, the existence of different linguistic backgrounds may be suspected, such as influences upon an Arabic root from other Semitic languages or from non-Semitic languages. Our knowledge of the other Semitic lan-

[4] See below, pp. 26 ff.

[5] Cf., for instance, M. Meyerhof, *Das Vorwort zur Drogenkunde des Bērūnī*, 33 (Berlin 1932, *Quellen und Studien zur Geschichte der Naturwissenschaften und der Medizin*, III, 3).

[6] Cf. al-Azharī, *Tahdhīb (al-lughah)*, ed. ʿAbd-as-Salām M. Hārūn, M. ʿA. an-Najjār, and I. al-Ibyārī, IX, 148 (Cairo 1964-1967). Al-Azharī indicates al-Aṣmaʿī as his authority. The *Tahdhīb* is quoted in *Lisān*, VI, 426 f.

guages is of no help in this case, since they have no obvious cognate of *q-m-r* in any meaning.[7] And no even remotely likely comparison with a non-Semitic language suggests itself.

The definition of *qimār* in al-Jurjānī (740-816/1340-1413) states that *qimār* means "taking one thing after the other from one's partner in a game" or "a game with the condition that the winner (*ghālib*) of two contestants get some thing from the loser (*maghlūb*)."[8] More challenging is a definition occurring in the commentary on the *ḥadīth* collection of at-Tirmidhī by the Spanish scholar Ibn al-'Arabī (468-543/1076-1148): "Each one of two (contestants) seeks to defeat his partner in an action or statement in order to take over property set aside for the winner."[9] Usually, *qimār* is just considered a play or game, something with no serious purpose (as, for instance, would attach to commerce), where things of value change hands. In general, the Muslim view of gambling fully agrees with our own definition, and it may be noted that Muslims also viewed gambling as a contract.[10] Islam, with its strong feelings and laws about how property should be acquired and distributed, was naturally inclined toward greater strictness in classifying as gambling everything where the acquisition and distribution of property took place outside the generally accepted categories, but the specific character of gambling was well understood.

Gambling comes as close to being a universal trait as are man's physical functions. If it has been pointed out that among a certain number of human societies, often small ones, gambling is not practiced,[11] this may be the result of particular material and social circumstances rather than an indication of the absence of the

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[7] *Qmr* "moon" is listed as attested as an (Aramaic) ideogram in Pahlavi by (C.-F. Jean and) J. Hoftijzer, *Dictionnaire des inscriptions sémitiques de l'Ouest*, 259 (Leiden 1965).

[8] Cf. al-Jurjānī, *Definitiones*, ed. G. Flügel, 187 (Leipzig 1845).

"Gambling" *(taqāmur)* appears to be more or less equated with "exchange" *(tabādul)*, in the remark ascribed by a fifteenth-century author to ash-Sha'bī that neither must accompany chess, if it is to be unobjectionable, cf. al-Ibshīhī, *Mustaṭraf*, II, 295 (Būlāq 1268).

[9] Cf. Ibn al-'Arabī, *'Āriḍat al-aḥwadhī*, VII, 18 (Cairo 1353/1934). On "action or statement," see below, p. 27.

[10] See below, pp. 100 f.

[11] Cf. A. Kroeber, *Anthropology*, 552 f. (New York 1948), cited by D. D. Allen, *The Nature of Gambling*, 34 (New York 1952). Kroeber thinks that gambling is an acquired cultural trait, to be found especially where the major religions hold sway, although no consistent relations of gambling activities with economic conditions and religious systems are apparent.

gambling instinct as such. In all major civilizations, it was and is present in some form or other. The means by which gambling is accomplished had, and have, a way of traveling across borders and becoming thoroughly assimilated to new environments, as is well documented by the manifold influences of Near Eastern gambling upon Western European civilization.[12]

There can be no doubt that although they were forbidden by law, gambling activities of various kinds had their devotees everywhere in the vast areas inhabited and controlled politically by Muslims. Our concern here is with Islam before modern times, arbitrarily assumed to begin with the sixteenth century. There is a good deal of documentation from the preceding nine centuries of Muslim existence. However, it is vastly scattered, often uninformative and lacking of concern with salient points of interest. If we take a close look and do not permit ourselves to be blinded by the fact that the material available has been large enough to fill a small book like the one presented here, it is not as large as might conceivably be expected, but is in reality quite exiguous. Already in the ninth century, when dealing with the *maysir* game, which we would feel is exceptionally well documented, Ibn Qutaybah noticed that he had no prose sources at his disposal and had to rely on evidence from poetry. Moreover, he said: "I have not found any subject as important and useful to Arab poets less well represented in their poetry; even the most productive poets have maybe only two or three verses on it, and most of them do not mention it at all, in contrast to their method (of constantly) describing camels, horses, donkeys, ostriches, gazelles, grouse, deserts, and reptiles."[13] Ibn Qutaybah seems to have held the religious injunction against *maysir* responsible for the seeming disinterest shown by poets (of the Islamic age). This, however, cannot be the whole story, since we know very well that other forbidden activities such as wine drinking were very much in the center of attention by littérateurs.

In the West, we find that from the seventeenth century on, gambling has been a favorite subject of the writers of fiction who catered to the individual's latent dreams of success and excitement, of release from the humdrum of daily life and the need of finding support for cherished notions of duty and morality. Gambling had

[12] See below, pp. 172 ff.

[13] Cf. Ibn Qutaybah, *al-Maysir (wa-l-qidāḥ)*, ed. Muḥibb-ad-dīn al-Khaṭīb, 31 (Cairo 1342 [this is the year as it appears on the title-page, not 1343]).

become a favorite pastime and vice of the rich and the powerful, of the men and women possessing the aura of success in politics, at court, and within the military establishment. In Islam, gambling never achieved this false glory. It was never thought of as something that mirrored the glamor of high society. It never provided a powerful stimulus to the creative imagination. The reason was not simply the fact that it was an illegal and irreligious activity. The decisive factor appears to have been its original and never forgotten role as an amusement that originated in childishness and continued being cultivated only by the immoral elements at the bottom of the social order. Certain games such as pre-Islamic *maysir* and, in Muslim times, chess and backgammon and many sports had a large role in society and were practiced intensively on its upper layers. Among the guardians of the imagination, the poets and littérateurs, a certain amount of attention was thereby guaranteed to them. However, the gambling aspects connected with them were played down. Gambling was too unpleasant a subject, intellectually and materially, to be used for conjuring up visions of the extraordinary good or bad life among the literate public.

The view that gambling *per se* is a vice of rather minor personal significance or social consequence[14] may be hard to defend as a general proposition, but in a way it seems applicable to Muslim civilization. References to tragedies caused in the lives of individuals suffering from a gambling compulsion are very rare. This cannot be due exclusively to the tendency of scholars and writers to avoid dwelling upon repulsive human conditions. Very likely, it reflects the assumption that on the scale on which human actions causing personal unhappiness and disaster were to be weighed, gambling registered quite low. The many lists of minor and major sins that were written in medieval times devote very little space to gambling, if they do not disregard it completely. The frequent invectives which consist of enumerating all sorts of vices as allegedly possessed by an individual rarely include gambling.[15] The same applies to deathbed exhortations. They may stress the need to protect one's property, but they do not warn against gambling as a danger for a young man suddenly coming into wealth.[16] We must conclude from

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[14] Cf. Rufus King, *Gambling and Organized Crime*, 21 (Washington 1969).

[15] Cf. Ibn Ḥayyān, in Ibn Bassām, *Dhakhīrah*, I, ii, 98 ff. (Cairo 1358—/1939—). Contrast, for instance, below, Ch. III, n. 171, Ch. IV, n. 60.

[16] Cf., for instance, *Arabian Nights*, ed. (W. H.) Macnaghten, I, 159 f.

these and similar negative indications that as a personal vice, gambling ranked low not only in theory but, perhaps, also in actuality.

As a consequence, society was not greatly affected by gambling activities. This had the further consequence that those activities had no discernible history. There were no sudden spurts of increased gambling that might have been reflected in the reports of historians or the accounts of littérateurs. The impression prevails that there was no real development in the attitude toward gambling held by Muslims in general and as expressed in the legal literature from about the ninth century on. It is now clear that our efforts to penetrate the preceding initial two centuries of Muslim history will always produce conjectures rather than true pictures of existing conditions. Yet, it may not be all wrong to suggest that a jurist of the first century of the hijrah viewed gambling not much differently from his colleague in the tenth century of the hijrah and found the same social problems connected with it. Economic conditions and the economic ethos preached by Islam were highly unfavorable to the development of gambling on a large scale. The available money supply was apparently always severely restricted, and the needs of subsistence had first call on the scarce holdings of money in the hands of the overwhelming majority of individuals. This handicap, to be sure, could have been overcome in a society truly devoted to gambling, such as did not exist in the lands of Islam. Theological views may ultimately have been the most decisive factor in limiting the extent of gambling in Muslim society. However, they were more felt and obeyed subconsciously than expressed in reasoned discourse.

Thus, for many important aspects of gambling, the evidence we have is scarce or lacking altogether. This has had the inevitable consequence that conclusions had to be drawn here on the basis of the absence rather than the presence of information. It would serve no useful purpose for modern scholarship to be presented with mere generalities about Muslim gambling activities and their societal consequences. What is required is detailed documentation on the specific situation in the medieval Muslim world. It is only such documentation that may, or may not, reveal the existence of traits different from what is known elsewhere in connection with gambling and can easily be observed today. Now, if we have evidence,

(Calcutta 1839-1842), trans. (E.) Littmann, I, 238 f. (Wiesbaden 1953) (21st night). Similarly below, Ch. II, n. 91.

which may often be just one imperfect piece of evidence, from one region at one particular time, it is disputable whether or not it applies to other regions and times as well; in many cases, it seems justified, if risky, to generalize from such limited evidence as there is available, If, however, there is no concrete evidence for a particular aspect of gambling activities, or if the evidence is so unexpectedly sparse as to amount to practically no evidence at all, the conclusions presented or implied here remain uncertain, and this applies to some rather important points.

In the case of gambling, we have the good fortune, rare in Islamic studies, to be able to refer to a predecessor of as long as three hundred years ago. Moreover, it is a prédecessor who not only did a superb job for his times but also, by his use of manuscript material and his approach to the subject, remains a valuable model and source of information today. Thomas Hyde (1636-1703) published his *De ludis orientalibus* in Oxford between 1689 and 1694. The first volume deals with the *Historia Shahiludii*, and the second with the *Historia Nerdiludii* and other games. He describes the "scope" of his second volume in his *Praefatio ad Lectorem:* "Meus autem de Ludis scribendi Scopus, (quem me attigisse spero,) est quos tractavi Ludorum & omnium rerum ad eos spectantium Nomina docere, artem circa illa criticam exercere, veterum de eis loca explicare, eáque propriis suis Ludis applicare, & singulorum Ludorum Originem & Inventorem & Antiquitatem perscrutari." Hyde's work is the earliest detailed study of what might be called a sociological subject dealing with the Muslim world. The sociological approach to the study of Islam was, of course, a rarity in his day, and even in this age of ours, it is not all too common. It is worth noting that Hyde chose the subject of games, in the first place chess but including also games of chance. He was probably motivated by the intense interest in gambling as a social activity which began to spring up and grow among European intellectuals in his time.

Another *stupor mundi* (as Hyde was once called[17]) was Adam Mez (1869-1917). The very few pages on games and gambling which he included in the chapter on "lifestyle" in his posthumously published *Die Renaissance des Islāms* (Heidelberg 1922), contain material that is unusually instructive and illuminating. It is doubtful whether any better passages than those cited by Mez can be found anywhere

[17] Cf. *Dictionary of National Biography*, X, 402a, *s.v.* Hyde, Thomas.

in Muslim literature. Virtually all that can be said on the gambling phenomenon in Islam and is truly essential can be found in his concise presentation. Much valuable work has been done by scholars East and West on individual games and sports since Mez's time (and before in the early years of the twentieth century). As this is a subject of cultural importance, brief references to it also appear in nearly all of the numerous works on various periods of Muslim history. They are, however, of rather limited interest as far as the "gambling" concept investigated in the following pages is concerned.

CHAPTER TWO

PLAY AND GAMES AND GAMBLING

The common Arabic root signifying "play," *l-ʿ-b*, with the noun *liʿb*, *laʿb*, *laʿib*,[1] occurs in Hebrew in the sense of "making fun of" (2 Chron. 36:16) and in Syriac in the sense of "being greedy." Already at the dawn of modern Semitic scholarship, it was suggested that the root's prehistoric biliteral connection was with *l-ʿ* "to lick, to swallow."[2] If we accept this uncertain but not improbable theory, it follows that it was a physical activity providing a special kind of sensuous enjoyment that served as the basis for the linguistic fixation of the play concept among the Arabs. Play was thus clearly felt to be something instinctive in living beings.

"Seriousness and play" (*jidd—liʿb*) is a pair of opposites in frequent use in Arabic literature. Another commonly used pair is "seriousness and fun" (*jidd—hazl*). Neither pair was different from the other in that both were meant to indicate a basic choice with respect to a fundamental concern of human life. Human beings are inclined to play, in the literal sense, and to a playful approach toward the exi-

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[1] The form *liʿb* will be used here for the sake of convenience, except in verses where the meter indicates a two-syllable form.

[2] Cf. W. Gesenius, *Lehrgebäude der hebräischen Sprache*, 183 f. (Leipzig 1817). The fact that the direct cognate of *l-ʿ* in Arabic is *w-l-gh* with *gh* is no absolutely decisive argument against *l-ʿ* as the pre-historic base of *l-ʿ-b*, cf., for instance, such roots as Arabic *l-ʿ-q*, Northwest Semitic *l-ḥ-k*, and certain other roots where, in contrast to *l-ʿ-q*/*l-ḥ-k*, there is no possibility of dissimilation between an original *gh* and a velar in the root.

Akkadian has nothing that could safely be considered a cognate of *l-ʿ-b*. For South Arabian, cf. L. Köhler and W. Baumgartner, *Lexicon in Veteris Testamenti Libros*, 483b (Leiden 1951), who speak of old Sabaean *l-ʿ-b* "to play," and K. (C.) Conti Rossini, *Chrestomathia arabica meridionalis*, 173b (Rome 1931), who lists *mlʿb* "solum ab aqua irrigatum." However, the root appears to be represented in South Arabian principally by proper names of uncertain meaning, cf. G. Lankaster Harding, *An Index and Concordance of Pre-Islamic Arabian Names and Inscriptions*, 135, 516, 682 (Toronto 1971). Arabic proper names such as Laʿūb and Mulāʿib also appear to be of doubtful interpretation, but they are probably to be related to "playing." The nickname Mulāʿib al-asinnah of a poet in the time of the Prophet referred to his dexterity in the use of spears in battle.

Luʿāb "spittle" (Syriac *lʿūbā*), though seemingly a very different concept, is easily connected with the root in view of its assumed original connection with "licking, etc."

gencies and vicissitudes of existence; on the other hand, they are, or should be, aware of the utter seriousness of their personal and societal obligations and of the need to meet them with earnest determination. For Islam, the decision was not difficult to make. Play was to be condemned as unbefitting a mature Muslim who was conscious of the seriousness of life in this world as a preparation for the other world. As ash-Shāfiʿī (150-204/767-820) put it: "Play is not what Muslims do, and it does not go with true manliness."[3] Where the power of reason was undeveloped and an awareness of human destiny was lacking, as was the case with women and children and the mentally deficient, playing would be something natural and had to be tolerated with much condescension. The view expressed by the fourteenth-century Ibn Qayyim al-Jawzīyah is, in import and manner of argumentation, typical of the official attitude of Islam, even if, as a Ḥanbalite and disciple of Ibn Taymīyah, Ibn Qayyim al-Jawzīyah was inclined to sternness:

> "Weak souls such as those of women and children cannot be led toward what causes the ultimate pleasure except by permitting them some of the pleasure of amusement and play. Were they entirely weaned of that, they would go after things that are worse for them. Therefore, (the Prophet) permitted them amusement and play of a sort he did not permit others. ʿUmar b. al-Khaṭṭāb once came to the Prophet who was having slave girls playing the tambourine. The Prophet bade them to be quiet with these words; 'ʿUmar is a man who does not like worthless frivolity *(bāṭil)*.' Thus, he indicated that playing the tambourine was worthless frivolity. Yet, he did not prevent them from playing, because it constituted for them a preponderant benefit *(maṣlaḥah)* and caused them to give up something harmful, the resulting harm of which would outweigh the harm resulting from playing. Furthermore, if women and children were to give up playing, the grief this would cause them would be of greater harm than the harm resulting from it. Thus, enabling them to play falls into the category of mercy, compassion, and kindness.
>
> In the same way, the Prophet enabled Abū ʿUmayr to play with a sparrow *(ʿuṣfūr)* in his presence,[4] and the two slave girls to sing in his

[3] *Lays min ṣanʿat ahl ad-dīn wa-lā al-murūwah*, cf. ash-Shāfiʿī, *Kitāb al-Umm*, VI, 213 (Būlāq 1324), see below, pp. 93 f. We shall encounter repeated references to the *murūwah* needed by an individual in order to qualify as a witness *(shāhid)*. The legal understanding of *murūwah* has been described by jurists in some detail. For instance, the Shāfiʿite an-Nawawī, *Minhāj*, ed. trans. L. W. C. van den Berg, III, 402 f. (Batavia 1882-1884), and, following him, ar-Rāfiʿī, *Muḥarrar*, Ms. Istanbul Fatih 2103, fol. 285a, mention as voiding an individual's *murūwah* such matters as eating in the bazaar, walking in public with the head uncovered, kissing one's wife or slave girl in front of others, always telling facetious stories, constantly playing chess and making music, and working in low-class occupations.

[4] Abū ʿUmayr was a half-brother of Anas b. Mālik. The bird was called

presence,[5] and ʿĀ'ishah to watch Ethiopians play in the mosque,[6] and that woman to play the tambourine standing behind him,[7] and the like. This is all very different from the attitude of the mentioned exemplary shaykhs. In the greatest detail, they consider it the proper religious view that this is doubtlessly forbidden.

In a way comparable is the fact that the Prophet gave the Sympathizers *(al-muʾallafah qulūbuhum)* some of the *zakāh* and the booty (cf. Qurʾān 9:60/60). Their hearts were less stout than those of the men around him who were firm in their faith. Therefore, he gave something to the former, and not to the latter, saying to them: 'I refer you to the sufficiency and the good put by God into your heart.'[8] Again something comparable is the joking the Prophet did with the Bedouins and the women and children who were joking with him. He did it in order to make them feel good, to attract them to the faith, and to give them joy. One of the traditions of the second-generation ash-Shaʿbī, reported on the authority of the Prophet without the intermediary of one of the men around him, states that the Prophet passed by people playing *dirkilah*—according to Abū ʿUbayd a game of the non-Arabs *(ʿajam)*[9]— and said on that occasion: 'Go on *(khudhū)*, O Banū Arfidah (= Ethiopians),[10] till the Jews and Christians realize that our religion has much room.'[11]

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nughar, with the diminutive *nughayr* to rhyme with ʿUmayr. It was also called *ṣafw*. Cf., for instance, (A. J. Wensinck and others,) *Concordance (et indices de la tradition musulmane)*, VI, 497a7-10 (Leiden 1936-1969); (E. W.) Lane, *(An Arabic-English Dictionary)*, 2817c (London 1863-1893, reprint Beirut 1968); Ibn ʿAbd-al-Barr, *al-Istīʿāb (fī maʿrifat al-aṣḥāb)*, ed. ʿA. M. al-Bijāwī, 1722 f. (Cairo, n. y. [1380/1960]); Ibn Ḥajar, *Fatḥ (al-bārī bi-sharḥ al-Bukhārī)*, XIII, 142, 204-208 (Cairo 1378-1383/1959-1963), on al-Bukhārī's book an *adab*. The length of Ibn Ḥajar's commentary shows that this was considered an interesting *ḥadīth* for a variety of reasons. It is also the prime authority for the practice of giving *kunyahs* to immature children and childless individuals. Ibn Ḥajar based his remarks on Ibn al-Qāṣṣ (d. 335/946-7) and other sources.

On birds in the hands of playful children, cf. F. Rosenthal, *Child Psychology in Islam*, in *Islamic Culture*, XXVI (1952), 4.

[5] Cf. *Concordance*, I, 340b24-26; Ibn Ḥajar, *Fatḥ*, III, 92-97.

[6] Cf. the preceding note and *Concordance*, I, 444a31-33, VI, 121a5-10. On ʿĀ'ishah's playing with dolls *(luʿab, banāt)*, cf. Ibn Ḥajar, *Fatḥ*, XIII, 143, and the vast literature dealing with the problem of the permissibility of dolls. Playing with dolls is usually considered permitted for girls as constituting useful training for being a housewife and mother.

[7] The reference appears to be to the slave girls mentioned in the beginning of the quotation.

[8] Cf. *Concordance*, VII, 304a17-18, and, e. g., Ibn Ḥajar, *Fatḥ*, III, 54, VII, 61.

[9] Cf. (Majd-ad-dīn) Ibn al-Athīr, *an-Nihāyah (fī gharīb al-ḥadīth)*, II, 31 (Cairo 1322); *Lisān*, XIII, 259: *dirkilah, dirkalah, diraklah, diraqlah*, also considered of Ethiopian origin, meaning a dance, but also explained merely as a children's game. Abū ʿUbayd died in 224/838.

[10] Cf. Ibn al-Athīr, *Nihāyah*, II, 97; *Lisān*, IV, 164; Lane, 1119c. The *ḥadīth* runs parallel to, or is identical with, the one of ʿĀ'ishah watching the Ethiopians play with javelins in the mosque, see above, n. 6, and Ibn Ḥajar, *Fatḥ*, III, 96 f. Instead of *khudhū*, the *ḥadīth* has *dūnakum*.

[11] I. e., is broadminded.

> Thus, the Prophet expends property and benefits for people in order to make them sympathetic to the ordained truth. What is expended is something that causes pleasure to the recipient and is liked by him, because this then will lead to other things. He does not do that with those who do not need it, like the emigrants and the Anṣār. Upon them, he bestows other kindnesses and religious and worldly benefits. Since ʿUmar b. al-Khaṭṭāb did not like worthless frivolity and did not want to listen to it, and since there was no need to arouse his sympathy as in the case of the others and he was also not commanded, as was the Prophet, to arouse sympathy by any means available for faith in the Prophet and for obedience to him, his aversion to such worthless frivolity constituted perfection with respect to him, but the Prophet's situation is more perfect (and therefore, his actions are more correct and exemplary)."[12]

The responsible Muslim must be serious but also cheerful and friendly. While "the unbeliever is full of guile, the believer is jolly and playful."[13] A benign smile is recommended, coarse laughter is banned. The Prophet's example sanctions occasional jokes, even practical jokes. Play and relaxation after hard work are needed and therefore allowed; even men of religion and learning should set some time aside for them.[14] But in general, play is at best a temporary diversion and a preliminary stage on the way to something better. This seems to be the meaning of the remark which the pious ʿUmar b. ʿAbd-al-ʿAzīz is said to have made to his sons: "Play, for manliness comes about only after play!"[15] And even a ten-year old boy, who has every right to play, would profess higher ambitions behind the childish preoccupation with play, at least if he was of noble birth and with a great future ahead of him, as was the Sharīf ar-Raḍī (359-406/970-1015) who at that age composed a poem beginning:

> Glory knows that glory is my ambition,
> Even if I am spending much time on play and the wrong things.[16]

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[12] Cf. Ibn Qayyim al-Jawzīyah, *Rawḍat al-muḥibbīn*, 163 f. (Cairo 1375/1956).

[13] Cf. at-Tawḥīdī, *al-Imtāʿ (wa-l-muʾānasah)*, ed. A. Amīn and A. az-Zayn, II, 99 (Cairo 1939-1944). The two words are brought into connection with *dad*, explained also as *liʿb* and *lahw*, which occurs in the tradition ascribed to the Prophet that he has nothing to do with *dad*, and *vice versa*, cf., for instance, *Lisān*, XVIII, 277 f.

[14] For all these points, cf. F. Rosenthal, *Humor (in Early Islam)*, 5 f. (Leiden 1956), which requires much expansion.

[15] Cf. at-Tawḥīdī, *al-Baṣāʾir (wa-dh-dhakhāʾir)*, ed. I. al-Kaylānī, II, i, 61 (Damascus, n. y. [1966 ?]). For the same remark attributed to ʿUrwah b. az-Zubayr, cf. az-Zamakhsharī, *Rabīʿ (al-abrār)*, Ms. Istanbul Fatih 3894, fol. 87b.

[16] Cf. ash-Sharīf ar-Raḍī, *Dīwān*, 51 (Cairo 1306).

"Play" stands for any aimless action with no useful result.[17] It was eventually defined as "an activity without a sound purpose,"[18] as "something entirely useless,"[19] as "the activity of children resulting in tiredness without any profit,"[20] or, philosophically, as "an activity for the sake of pleasure in which the motive of wisdom is disregarded, such as the activity of children, since they know neither sage nor wisdom but act only for the sake of pleasure,"[21] and, more devastating, as "the heart's occupation with something that has no reality."[22] Playing had its champions in some poets and in littérateurs considered somehow to be of loose morals, and in who knows how many of those who rarely had an opportunity to be heard, but officially, it deserved, and was accorded, disapproval, or even contempt. Sports, too, whether they were used for gambling or not, had to be defended by arguing their usefulness and seriousness of purpose. A man who supposedly "played with dogs and falcons" had to defend his right to be a qualified witness,[23] and many other sportsmen were in a similar situation. Moralists warned against the first beginning of a liking for things such as pigeon fancying and playing chess and *nard*; once a person gets accustomed to them, he finds it hard to stop and avoid their destructive consequences.[24]

Yet, the pervasiveness of the play concept shows itself in the remarkably wide usage of the root *l-ʿ-b* for metaphoric expression throughout Muslim literature. Of the twenty occurrences of *l-ʿ-b* in

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[17] Cf. Ibn al-Athīr, *Nihāyah*, and *Lisān*, in connection with the *jassāsah* story, referred to below, n. 36.

[18] Cf. ar-Rāghib al-Iṣfahānī, *Mufradāt fī gharīb al-Qurʾān*, in the margin of Ibn al-Athīr, *Nihāyah*, IV, 80.

[19] From *al-Kashf*, presumably the *Kashf al-asrār* of ʿAbd-al-ʿAzīz b. Aḥmad al-Bukhārī (d. 730/1329). Together with the preceding definition of ar-Rāghib, the *Kashf* was quoted by the sixteenth-century al-Kūhistānī, *Jāmiʿ ar-rumūz*, II, 242 (Constantinople 1300). Al-Kūhistānī mentions the two definitions in discussing pigeon fancying and the qualifications for being a witness. He was in turn quoted by at-Tahānawī, *Kashshāf (iṣṭilāḥāt al-funūn)*, 1288 (Calcutta 1862, *Bibliotheca Indica)*.

[20] Cf. al-Jurjānī, *Definitiones*, 202.

[21] Cf. (Abū Hilāl) al-ʿAskarī, *al-Furūq (al-lughawīyah)*, 210 (Cairo 1353).

[22] Cf. al-ʿĀmilī, *Mikhlāh*, 119 (Cairo 1317).

[23] Cf. D. Möller, *Studien zur mittelalterlichen Falknereiliteratur*, 136 (Berlin 1965).

[24] Cf. al-Ghazzālī, *Iḥyāʾ (ʿulūm ad-dīn)*, III, 86 (Cairo 1352/1933). Al-Ghazzālī's eighteenth-century commentator, Murtaḍā az-Zabīdī, *Itḥāf as-sādah*, VII, 431 (Cairo 1311, reprint Beirut), spells out the destructive consequences. They are numerous in matters religious. In worldly matters, they are neglect of one's business and family and the loss of one's property.

the Qur'ān, only one (Qur'ān 12:12/12) expressly refers to child's play. Combined occasionally with *lahw* "amusement," the root is commonly used in the meaning of not taking someone or something seriously and of making fun of him or it (5:57-58/62-63, 6:70/69, 91/91, 7:51/49, 43:83/83, 52:12/12, 70:42/42). Similarly, it indicates frivolous, unserious activity (7:98/96, 9:65/66, 21:2/2, 55/56, 44:9/8). Even God's creation of the world and of man has to be defended against being merely a meaningless playful act (21:16/16, 44:38/38), for which also the roots *ʿ-b-th* (23:115/117)[25] and *b-ṭ-l* (38:27/26) are employed. And the insignificance and instability of life in this world are branded as "play and amusement" (6:32/32, 29:64/64, 47:36/38, 57:20/19). All these passages opened the door wide for the negative attitude toward play which came to dominate Muslim thinking.

However, while it is true that instability and meaninglessness are the concepts commonly associated with *l-ʿ-b* among intellectuals, "play" retained its innate psychological attractiveness. It is not by chance that in popular usage as attested in the *Arabian Nights*, "playing" (and equivalent vague terms) followed almost obligatorily upon "eating and drinking" as the suitable form of relaxation whose particular character in each given situation was left to the listener or reader to imagine.[26] The frequency of the root's use, in the I, III, V, and VI conjugations, indicates its emotional viability. *L-ʿ-b* is naturally used for playing games of all kinds and descriptions by children and adults, even animals, such as a rat playing with a gold coin brought by it out of its hole.[27] It may be used for the aimless and careless handling of any small object such as an apple (for clandestine carving)[28] or excrements by drunks.[29] Children may play in

[25] As against *liʿb* and *lahw*, *ʿabath* is defined as an activity for its own sake. *Liʿb* and *lahw* in addition seek out something else to make them *liʿb* and *lahw* or, possibly, prevent them from being that, cf. al-ʿAskarī, *Furūq*, 210. Consequently, *ʿabath* is more frivolous than mere play and amusement.

[26] Gambling was done before and after meals, cf. (Abū l-Faraj al-Iṣfahānī,) *Aghānī*, XVIII, 125 (Būlāq 1285), with reference to Ru'bah (first half of the eighth century), and aṣ-Ṣafadī, *al-Wāfī (bi-l-wafayāt)*, ed. H. Ritter, S. Dedering, Iḥsān ʿAbbās, M. Y. Najm, VI, 287 (Istanbul-Leipzig-Wiesbaden 1935—, *Bibliotheca Islamica* 6), with reference to Jaḥẓah (d., in his nineties, in 324/936).

[27] Cf. al-Ghuzūlī, *Maṭāliʿ (al-budūr)*, II, 306 (Cairo 1299-1300), quoting az-Zamakhsharī, *Rabīʿ*.

[28] Cf. al-Badrī (847-894/1443-1489), *Ghurrat (aṣ-ṣabāḥ)*, Ms. Brit. Mus. add. 23, 445, fol. 123b, and the biography of Ibn al-ʿAmīd in Ms. Istanbul Murad Molla 1408, fol. 73b, containing the *Ṣiwān al-ḥikmah* of as-Sijistānī (where *ʿabitha* is used).

[29] Cf. al-Qurṭubī, *Jāmiʿ*, II, 57.

and with sand,[30] an appropriate simile for acting childishly and without regard for earnest and pious endeavor.[31] "Playing" commonly goes with musical instruments and the making of music. The effect of music on the emotion and the yearning it stirred up could be compared to

> A nursing woman playing with her infant
> Who starts to laugh when she tickles him.[32]

There was playing with prestidigitation (*sha'badhah*)[33] and with the figures of the shadow theater.[34] The root is often used for sexual activity, and technically also for foreplay.

There are various more specific uses to which the play concept was applied. We hear of fate playing with human beings.[35] The waves of the ocean play with, that is, toss about, a ship for a month, as mentioned in the eschatological *ḥadīth* of Tamīm ad-Dārī and Satan's talking animal (*al-jassāsah*); this passage was apparently deemed remarkable enough to be taken note of by the lexicographers,[36] though in some versions of the story, the phrase does not occur.[37] Poetry and artistic prose speak of such matters as a gazelle playing in the moonlight.[38] A person's generosity may be so great that it appears unbelievable: "I thought you were playing (i.e., joking)."[39] Those who entered the service of the Ṣāḥib Ibn 'Abbād

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[30] Cf. at-Tawḥīdī, *Baṣā'ir*, II, i, 113.

[31] Cf. at-Tawḥīdī, *aṣ-Ṣadāqah (wa-ṣ-ṣadīq)*, ed. I. al-Kaylānī, 65 (Damascus 1964).

[32] Cf. Sayf-ad-dīn al-Mushidd (602-655/1205-6-1257), *Dīwān*, Ms. Escorial 343, fol. 129a:

wa-'awwādatin naqarat 'ūdahā
fa-ḥanna l-fu'ādu ilā dhālikā
ka-murḍi'atin lā'abat ṭiflahā
idhā daghdaghathu btadā ḍāḥikā.

[33] Cf. al-Jawbarī, *(al-Mukhtār fī) Kashf (al-asrār)*, 61 (Cairo 1316); ash-Shiblī, *Maḥāsin al-wasā'il ilā ma'rifat al-awā'il*, Ms. Dublin Chester Beatty 4649, fol. 90a. For *la'"āb* meaning "juggler," see below, Ch. V, n. 22.

[34] Cf. al-Ghuzūlī, *Maṭāli'*, I, 261.

[35] Cf. below, pp. 159 ff.

[36] Cf. Ibn al-Athīr, *Nihāyah*, IV, 62; *Lisān*, II, 235; Muslim, *Ṣaḥīḥ*, II, 706 f. (Calcutta 1265/1849), book on *fitan*. For "the waves playing" with someone tossed about in the water, cf. *Arabian Nights*, ed. Macnaghten, III, 352, 574, trans. Littmann, IV, 596, V, 133 (672nd and 751st nights).

[37] Cf. at-Tirmidhī, in Ibn al-'Arabī, *'Āriḍat al-aḥwadhī*, VI, 528-530; *Concordance*, I, 347a27-30.

[38] Cf. Ḥamzah al-Iṣfahānī, *ad-Durrah (al-fākhirah fī l-amthāl as-sā'irah)*, ed. 'Abd-al-Majīd Qaṭāmish, 398 (Cairo 1971-1972).

[39] *Ḥasibtuka tal'abu*, cf. at-Tawḥīdī, *Baṣā'ir*, II, i, 223 (a Bedouin address-

were described as wretches who "were played with (i.e., not taken seriously)."[40] There were those who "played with their religion"[41] or "with the Book of God"[42] or "with God's proofs."[43] The execution for heresy of an individual called Ba'ādah (??) gave rise to these verses in the fourteenth century:

> Ba'ādah's wrongful playing with the religion
> In this world grew, and the sword searched (for him) seriously.
> Eventually, he suffered the *ḥadd* punishment by means of a ready sword
> Whose edge marked the boundary between seriousness and play.[44]

When a time without law and order was "playing with men," it was treating them unfairly.[45]

Fighting was commonly styled "playing" with some kind of weapon. There was also make-believe fighting with swords, javelins, and the like. The expression *mikhrāq lā'ib* was interpreted to mean either play swords or playing with kerchiefs twisted for administering beatings.[46] The fine performance of an acrobatic swordplayer (*muthāqif*) inspired the Ṣāḥib Ibn 'Abbād to rhyme:

> I compared him with the sword in his palm
> To a full moon playing with lightning.[47]

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ing Khālid b. 'Abdallāh, apparently the famous governor of the 'Irāq, al-Qasrī). "Playing" here does not mean throwing money around like a gambler.

[40] *Mal'ūb bih*, cf. at-Tawḥīdī, *Akhlāq al-wazīrayn*, ed. Ibn Tāwīt aṭ-Ṭanjī, 192 (Damascus 1385/1965).

[41] Cf. at-Tawḥīdī, *Akhlāq al-wazīrayn*, 214; Ṭāshköprüzādeh, *Miftāḥ as-sa'ādah*, I, 50 (Hyderabad 1329-1356), cf. Qur'ān 6:70/69, 7:51/49. Cf. also below, Ch. VI, n. 18.

[42] Cf. at-Tawḥīdī, *Akhlāq al-wazīrayn*, 252.

[43] Cf. at-Tawḥīdī, *Baṣā'ir*, I, 304.

[44] Cf. al-Qīrāṭī, *Maṭla' an-nayyirayn*, Mss. Istanbul Fatih 3861, fol. 93b, and Topkapısarayı Ahmet III 2627, fol. 116a:

> *Ba'ādatun (?) zāda fī d-dunyā tala"ubuhū*
> *bi-d-dīni baghyan wa-jadda s-sayfu fī ṭ-ṭalabi*
> *ḥattā aqāma 'alayhi l-ḥadda munṣalitun*
> *fī ḥaddihī l-ḥaddu bayna l-jiddi wa-l-la'ibi.*

[45] *Az-zamān al-wāhī an-niẓām al-lā'ib bi-l-anām*, cf. Ibn Bassām, *Dhakhīrah*, I, ii, 268, l. 17.

[46] Cf. ath-Tha'ālibī, *Thimār al-qulūb*, 500 (Cairo 1326/1908); Lane, 729c. Usāmah b. Munqidh said of Ṣalāḥ-ad-dīn:

> When he attacks, the hearts of the enemies get
> Twisted like a *mikhrāq* in the palms of a player.

Cf. al-'Imād al-Iṣfahānī, *Kharīdah* (Syrian poets), ed. Shukrī Fayṣal, I, 527 (Damascus 1375-1383/1955-1964).

[47] Cf. Ibn 'Abbād, *Dīwān*, 254 (Baghdād 1384/1965), taken by the *Dīwān*'s editor, M. Ḥ. Āl Yāsīn, from ath-Tha'ālibī, *Yatīmat (ad-dahr)*, III, 182

More positively, it could be said of an accomplished poet that he was able to play with a poetical conceit,[48] or that he "played with poetry and verse as the wind plays with the sides of branches,"[49] while littérateurs were said to "play with the extremities of articulate speech as the darkness of night plays with the sleeper's eyelids."[50] And a tailor might "play with the thread, twisting it," as if it were his lover's body.[51] There was much play in nature. "Grey hair plays with the beard on the cheek."[52] Hair plays with various parts of the body,[53] and, as al-Ghuzūlī has it in an ode of his, composed in 803/1400-1 and dealing with the plight of Damascus under the onslaught of the Tatars:

> The lashes on the eyelids played with my tears
> As heroes in battle play with the heads of knights.[54]

The tongue plays with speech, this being the apparent meaning of verses by the eighth/ninth-century poet Di'bil, describing someone facing death:

> He draws from his jaws, like a sword,
> A blade that plays with speech.[55]

"The pregnant wombs played for our sake with our hopes and

(Damascus 1304); ath-Tha'ālibī, *Aḥsan mā sami'tu*, 104 (Cairo, n. y.). For *muthāqafah* as useful training and therefore permissible, cf. Ibn Ḥajar, *Fatḥ*, III, 97.

[48] *Talā'ab bi-hādhā l-ma'nā*, cf. al-Badrī, *al-Maṭāli' (al-badrīyah)*, Ms. Bodleian Hunt. 493, fol. 181a.

[49] Cf. Ibn Bassām, *Dhakhīrah*, IV, i, 133, ll. 4 f., cf. also I, ii, 340, l. 8.

[50] Cf. Ibn Bassām, *Dhakhīrah*, I, i, 1, ll. 8 f.

[51] Cf. Ibn Bassām, *Dhakhīrah*, IV, i, 220, l. 16.

[52] Cf. ath-Tha'ālibī, *Tatimmat al-Yatīmah*, ed. Abbas Eghbal, II, 48 (Teheran 1934), quoting Manṣūr al-Harawī (d. 440/1048, Brockelmann, *GAL*, *Suppl.*, I, 154 f.).

[53] Cf. Shihāb-ad-dīn al-Ḥijāzī, *Rawḍ al-ādāb*, Ms. Brit. Mus. or. 3843, fol. 120a, quoting Sayf-ad-dīn al-Mushidd:

> *talā'ubu sh-sha'ri 'alā qaddihī*
> *awqa'a qalbī fī ṭ-ṭawīli l-'arīḍi.*

This is followed by a quotation from Ibn Sanā'-al-mulk (d. 608/1211):

> *tala"ubu sh-sha'ri 'alā ridfihī*
> *awqa'a qalbī fī l-'arīḍi ṭ-ṭawīli.*

Sayf-ad-dīn al-Mushidd's *Dīwān* (Ms. Escorial 343, fol. 148b) has *ridfihī*, for *qaddihī*. Ibn Sanā'-al-mulk's *Dīwān*, edited by M. 'Abd-al-Ḥaqq (Hyderabad 1377/1958) and by M. I. Naṣr and Ḥ. M. Naṣṣār (Cairo 1388/1969), does not contain the verse. It does occur, however, in the *Dīwān* of Ibn al-'Afīf at-Tilimsānī, 55 (Beirut 1885). There, we find *talā'ubu*, for *tala"ubu*.

[54] Cf. al-Ghuzūlī, *Maṭāli'*, II, 300.

[55] Cf. Di'bil, *Dīwān*, 194 (an-Najaf 1382/1962), taken by the *Dīwān's* editor, 'Abd-aṣ-Ṣāḥib ad-Dujaylī, from at-Tawḥīdī, *Baṣā'ir*, I, 264.

desires for this world" and in this manner implanted them in us before we were born.[56] Sickness plays with the body.[57]

Bedouin experience would compare the wind's action to playing; its playgrounds were where it was blowing, and when it played with an encampment, it had the effect of erasing its traces.[58] In a different environment, different metaphors were created for the wind. With its unsteady effect on the flickering flame, it might be said to play with the wax candle's flame[59] or with the lamp.[60] "As the wind plays with the candle and gives it(s flame) different shapes, thus longing plays with the heart and transfers it from one condition to another."[61] And "the hand of the wind plays with the flowers of (the brazier's) flames," as Ibn Nubātah (d. 374/984-5) put it.[62] With their spittle (*luʿāb*), vipers play (*laʿibat*) with lives.[63] And wine plays with reason, as already Abū Tammām (first half of ninth century) had said,[64] as well as his contemporary Muḥammad b. ʿAbd-al-Malik al-Hāshimī,[65] and probably others before them. In this connection, Abū Tammām also speaks of verbs playing with nouns, requiring them to take on the endings of nominative or accusative, in the same way in which wine alters the drinker's mental condition:

> Bubbly wine plays with the minds,
> Just as verbs play with nouns.[66]

If it was not wine that played with reason, it could be love[66a] or money.[67] But also a graceful dancer "plays, moving forward and backward, with the mind, just as fate plays with its people in

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[56] Cf. ash-Sharīf al-Murtaḍā, *Dīwān*, ed. R. aṣ-Ṣaffār, III, 39 (Cairo 1958-1959).

[57] Cf. Ibn al-Habbārīyah, in al-ʿImād al-Iṣfahānī, *Kharīdah* ('Irāqī poets), ed. M. B. al-Atharī and Jamīl Saʿīd, II, 132 (Baghdād 1375-1384/1953-1964).

[58] Cf. *Lisān*, II, 237.

[59] Cf. al-Ghuzūlī, *Maṭāliʿ*, I, 81 f.

[60] Cf. al-Ghuzūlī, *Maṭāliʿ*, I, 88.

[61] Cf. al-Ghuzūlī, *Maṭāliʿ*, I, 82.

[62] Cf. al-Ghuzūlī, *Maṭāliʿ*, II, 21.

[63] Cf. al-Ghuzūlī, *Maṭāliʿ*, II, 319.

[64] Cf. Abū Tammām as quoted by al-Ghuzūlī, *Maṭāliʿ*, I, 159. See also I, 137. For an example from later stylists, cf., for instance, Ibn Sanāʾ-al-mulk, *Fuṣūṣ al-fuṣūl*, Ms. Escorial 529, fol. 5a: *ash-sharāb alladhī yalʿab bi-l-albāb*. Cf. also *Arabian Nights*, ed. Macnaghten, III, 651, trans. Littmann, V, 300 (775th night).

[65] Cf. ash-Shābushtī, *Diyārāt*, ed. Kūrkīs ʿAwwād, 10 (Baghdād 1951).

[66] Cf. Abū Tammām, *Dīwān*, ed. M. ʿAbduh ʿAzzām, I, 29 (Cairo 1964).

[66a] Cf. E. García Gómez, *Todo Ben Quzman*, I, 366 (Madrid 1972) ("the beloved *laʿab bi-ʿaqlī*").

[67] Cf. al-Jawbarī, *Kashf*, 38.

whichever way it wants."[68] "Playing with a person's mind" then came to mean simply "to deceive, to inveigle."[69]

Desires and erotic daydreams could be playfully manipulated. Thus, the girl operating the figures of the shadow play, "plays with individuals behind her curtain, just as her actions play with wishes."[70] The daydreams and wishes, but in this case those of the impecunious, were described by Ibn Ẓāfir (567-613/1171-2-1216) in terms of the quick movement of waterwheels in a garden close to the Nile and the optical illusion caused by it: "We saw a well at which there were two waterwheels running parallel to one another whose axles (*aflāk* "spheres") moved around the stars of their troughs and played with the hearts of the waterwheels' beholders, as do wishes with the bankrupt."[71]

Evidence for such metaphoric usages of "play" is inexhaustible, and further passages could be cited *ad infinitum*.[72] All that has been attempted here has been to show how deeply engrained the play concept was in Muslim hearts and minds as confirmed by the powerful witness of linguistic usage, regardless of what was considered to be the proper attitude of religious ethics. While "playing" remained throughout a metaphor for unstable and frivolous behavior, its continuous presence on the level of artistic literary expression assured it of an important place in Muslim civilization, even if it was always officially excluded from the hierarchy of cultural values. The clue provided by linguistic usage reveals the persistence of a strong inclination and attraction to playful activity, though not necessarily to the gambling aspect that might be part of it.

Paired with *lahw* "amusement" (as repeatedly already in the Qur'ān), "playing" became a kind of standard terminology hinting at an improper lifestyle. In its definition, "amusement" was contrasted with play in a way that stressed its more objectionable character. "There is no *lahw* without *li'b*, while there may be *li'b*

[68] Cf. al-Ghuzūlī, *Maṭāli'*, I, 249, quoting Ibn Kharūf al-Andalusī (d. 609/1212-3).

[69] Cf. *Arabian Nights*, ed. Macnaghten, III, 140, trans. Littmann, IV, 284 (585th night).

[70] Cf. al-Ghuzūlī, *Maṭāli'*, I, 261, citing al-Wajīh al-Munāwī.

[71] Cf. Ibn Ẓāfir, *Badā'i' al-badā'ih*, I, 232 (Cairo 1316, in the margin of al-'Abbāsī, *Sharḥ shawāhid at-Talkhīṣ*). "Running parallel" renders the reading found in the quotation of the passage in al-Ghuzūlī, *Maṭāli'*, I, 40.

[72] The *Wörterbuch der klassischen arabischen Sprache* can be expected soon to present much more material of this kind under *l-'-b*.

without *lahw*, since *liʿb* may serve educational purposes, such as is done by playing chess and the like. This would not be called *lahw*. *Lahw* is *liʿb* that never results in anything useful. Literally, *l-h-w* implies distraction from things that matter."[73] Its main purpose, in contrast to play whose principal purpose is purposelessness, is the harmful release of pent-up emotions. It provides "the kinds of emotional excitement (*ṭarab*) which distract an individual from the good."[74] It means "seeking enjoyment through something that has no reality."[75] For jurists, it came to be the rule to observe that "every amusement is worthless frivolity (*bāṭil*), if it distracts from obedience to God." In connection with this statement, they were able to refer to a famous *ḥadīth* of the Prophet in which he describes "everything by which a Muslim amuses himself as worthless frivolity, except the shooting of arrows, the training of horses, and sex play with his women folk."[76]

If the combination of *liʿb* and *lahw* was extended to include other and frequently more explicitly negative terms such as *mujūn* "indecency, obscenity," its meaning was made fully obvious, as when, for instance, it was suggested during a discussion about Ṣūfīs that they were people of such a description.[77] But also by themselves, play and amusement sufficed to serve as a label, a shorthand notation for censuring and condemning men in active life described as devoted to them, let alone scholars of whom a different conduct was naturally expected. Here, we are moving a little closer to the subject of gambling proper, even though a jurist, probably thinking of "amusement" in terms of the categories approved by the *ḥadīth* just mentioned, might expressly contrast harmless *lahw* with forbidden *qimār* "gambling."[78]

It would seem a rather obvious assumption that in many cases, such play and amusement automatically included gambling, possibly intensive gambling. However, this is by no means certain. Often, we find play and amusement amplified by further remarks of

[73] Cf. al-ʿAskarī, *Furūq*, 210.

[74] Cf. ash-Sharīshī, *Sharḥ al-Maqāmāt (al-Ḥarīrīyah)*, I, 20 (Cairo 1306).

[75] Cf. al-ʿĀmilī, *Mikhlāh*, 119.

[76] Cf. Ibn Ḥajar, *Fatḥ*, XIII, 334-336; *Concordance*, VI, 150b31-33.

[77] Cf. at-Tawḥīdī, *Imtāʿ*, III, 97.

[78] Cf. al-Qurṭubī, *Jāmiʿ*, II, 52 f., referring to Mālik. Proof that "gambling belongs to *lahw*" is seen by al-Qasṭallānī in the way in which the gambling *ḥadīth* (below, p. 67) is mentioned in the book on *isti'dhān* in al-Bukhārī, cf. *Irshād as-sārī (li-sharḥ Ṣaḥīḥ al-Bukhārī)*, IX, 172 (Būlāq 1305, reprint Baghdād [1971]).

what they consisted of, and gambling is not among it. Thus, additional express evidence is desirable. For example, the Ayyūbid of Ḥamāh al-Malik al-Muẓaffar (d. 683/1284) is described as a noble and pleasant man, "but he used to play and to be devoted to amusement and other things,"[79] habits possibly strengthened by his becoming ruler at a very young age. What does this mean in concrete terms? If the historians do not furnish further indications, we can only guess. We also could not be sure as to what was meant specifically when an historian described the Būyid ʿIzz-ad-dawlah and his adviser, Abū l-Fatḥ Ibn al-ʿAmīd, as having hastened their fate by indulging in play and amusement,[80] if we did not have some verses by the poet Ibn Ghassān referring to ʿIzz-ad-dawlah's passion for *nard* to the detriment of good government:

> A realm is governed by the ruler's insight
> And preserved by the experienced master.
>
> O ʿAḍud-ad-dawlah, rise to its rescue!
> For it is being lost between six-and-one *(shash wa-yak)*.[81]

Thus, it is certain that ʿIzz-ad-dawlah's "play and amusement" did include gambling. Still, we do not know how important a role such gambling played in his life and conduct.

Going back further in time, we may refer to the case of the unfortunate caliph al-Amīn. The circumstances of his life and reign were such as to make him unavoidably the target of negative comment by subsequent historians. Once, we are told, he played *nard* with the wazīr al-Faḍl b. ar-Rabīʿ. The two of them "gave their seal rings as pledges (*rahanā*) for something they agreed upon the loser should produce." When al-Amīn won, he took al-Faḍl's ring and went out with the ring still in his hand, ostensibly in order to go to the toilet. Instead, he secretly called an engraver and had him change the inscription on the ring to an obscenity. When al-Faḍl redeemed (*f-k-k*) his ring, the caliph gave it back to him, and al-

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[79] Cf. aṣ-Ṣafadī, *Wāfī*, V, 12. Adh-Dhahabī, *ʿIbar*, ed. Ṣ. al-Munajjid, V, 346 (Kuwait 1960-1966), calls him *laʿʿāb*. However, his passion for play and amusement is not mentioned in al-Yūnīnī, *Dhayl (Mirʾāt az-zamān)*, IV, 202, 236 (Hyderabad 1374-1380/1954-1961); Ibn Kathīr, *Bidāyah*; Ibn Taghrībirdī, *Nujūm*.

[80] Cf. Miskawayh, *Tajārib al-umam*, *anno* 364, ed. D. S. Margoliouth and H. F. Amedroz, *The Eclipse of the ʿAbbasid Caliphate*, II, 352, trans., V, 384 (Oxford 1920-1921).

[81] Cf. al-Qifṭī, *Taʾrīkh al-ḥukamāʾ*, ed. J. Lippert, 402 (Leipzig 1903), cited by J. C. Bürgel, *Die Hofkorrespondenz ʿAḍud ad-Daulas*, 27, n. 1 (Wiesbaden 1965). For ʿIzz-ad-dawlah's horse racing activities, see below, p. 50.

Faḍl, not knowing what had happened, used it for ten days in all his public business. Then, the caliph invited him for another game and called his attention to the altered inscription. Outraged, al-Faḍl castigated the caliph for his foolish practical joke, implying that it proved him unfit for his high office.[82] There is also a chess gambling story involving al-Amīn and Isḥāq al-Mawṣilī. The latter described himself as a middling to excellent chessplayer (*fawq al-munṣifīn wa-dūn al-bālighīn*) who could win against almost anybody. The caliph "asked me to play with him. So I played with him for a garment (*khil'ah*). He defeated me. I got up and took off my clothes (*thawb*). He asked me what I was doing. I replied that I was taking off my clothes, so that he could put them on. The caliph exclaimed: 'Would I put on a garment full of lice!' Whereupon I said: 'Nothing doing! Either you put it on or you ransom yourself.' When he asked with what he should ransom himself, I replied, 'with your clothes.' Exclaiming 'I have never seen a winner who was at the same time a loser (*qāmir maqmūr*),' he took off his clothes and gave them to me."[83]

Other particulars are given elsewhere concerning al-Amīn's childishness and devotion to play and amusement. Their plausibility and historicity are not at issue here. In the anecdotes just quoted, it is not gambling as such that diminishes the caliph's stature, but the surrounding frivolity. There was a saying reported by ath-Tha'ālibī that "if four things are found together in a man, they ruin him. They are the love of women, hunting, wine drinking, and gambling (*qimār*)."[84] Certainly, each of those habits, if indulged in excessively, could by itself lead to a person's downfall. On the higher rungs of society, they were no doubt often found together in the same individual. However, the source situation with which we are confronted does not allow us to allot its proper share in the scheme to gambling which may often have been insignificant or entirely absent.

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[82] Cf. al-Jahshiyārī, *Wuzarā'*, ed. H. von Mžik, fol. 189b (Leipzig 1926, *Bibliothek ar. Historiker und Geographen* 1); ed. M. as-Saqqā', I. al-Ibyārī, and 'A. Shalabī, 298 f. (Cairo 1357/1938).

[83] Cf. ar-Rāghib al-Iṣfahānī, *Muḥāḍarāt (al-udabā')*, II, 449 (Būlāq 1286-1287). The passage is cited by H. J. R. Murray, *A History of Chess*, 196 (Oxford 1913), and R. Wieber, *(Das) Schachspiel (in der arabischen Literatur)*, 224 (Walldorf-Hessen 1972, *Beiträge zur Sprach- und Kulturgeschichte des Orients* 22).

[84] Cf. ath-Tha'ālibī, *Bard al-akbād*, 153 (Constantinople 1301).

The same point can be made for all levels of society. It contributes to our uncertainty when we find intellectuals such as the authors of the *Rasā'il Ikhwān aṣ-ṣafā'* listing, after the pleasures of eating and drinking and sex, "amusement and play and song and playing *nard* and gambling."[85] The sequence here would appear to exclude gambling from what is called amusement and play. Such an interpretation may, however, be a bit too literal, even if the Sincere Friends can be trusted to have always weighed their language carefully. A very instructive example of the uncertainty with which we have to contend is furnished by the tenth-century ash-Shābushtī in his work on monasteries. During the heyday of the ʿAbbāsid dynasty, Christian monasteries often were the playgrounds of the populace, Muslims and Christians alike. Ash-Shābushtī takes great pains to make this fact clear by introducing the description of each monastery with a considerable variety of phrases to this effect. Notwithstanding his best efforts, the result is pretty monotonous and on the whole uninformative. The constantly re-occurring *liʿb* and *lahw* are complemented on occasion by such words as *shurb* "wine drinking," *ṭarab/taṭarrub* "entertainment (music)," *tannazzuh* "amusement (principally involving excursions into the countryside)," *khalāʿah* "profligacy," and, in particular, *qaṣf*, a very widely used term which is explained by the lexicographers as being a combination of *lahw* and *liʿb*.[86] But no matter what words are used, or how many of them are used in tandem, they all mean the same thing. No specifics are indicated by them, and the author probably did not intend them to do so. There is nothing here to tell us whether the many amusements available in the monasteries included gambling, as was assuredly the case in the *mākhūrs* "cabarets" of the cities.[87] The term *khalāʿah* is not meant to be a reference to gambling, although derivations from the root *kh-l-ʿ*, such as *khalīʿ*, *khawlaʿ*, and *mukhāliʿ* denoted the gambling addict in the old *maysir* language.[88] From the root *q-ṣ-f*, the word *maqṣaf* was formed which, certainly in later times, had "gambling casino" as one of its many meanings. In early sixteenth-

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[85] Cf. *Rasā'il Ikhwān aṣ-ṣafā'*, IV, 66 (Cairo 1347/1928).

[86] Cf. al-Azharī, *Tahdhīb*, VIII, 376; *Lisān*, XI, 191.

[87] See below, Ch. V, n. 34.

[88] *Lisān*, IX, 430, combines these words with *khulʿah*, in the meaning of "the best possessions gambled away" (cf. the verse quoted below, ch. IV, n. 56). An old hypocritical "profligate who played and amused himself" *(khalīʿ yalʿab wa-yaṭrab)* presumably also gambled, cf. al-ʿImād al-Iṣfahānī, *Kharīdah* ('Irāqī poets), II, 342.

century Aleppo, there was a place called Junaynat ʿUbayd where one could eat *ḥashīsh* and amuse oneself and which was described as the *maqṣaf* of Aleppo.[89] Presumably, also some forms of gambling were practiced there. Ash-Shābushtī quotes verses by ʿAbdallāh b. al-ʿAbbās, a grandson of the wazīr al-Faḍl b. ar-Rabīʿ, praising Dayr Ǫūṭā where he enjoyed many a night

> Among noble youths who spent in revelry *(qaṣf)* all they possessed
> And expended on love and play *(taṣābī)* money and property.

And the blissful life at ʿUmr Kaskar was similarly sung by his older contemporary, Muḥammad b. Ḥāzim al-Bāhilī. In ʿUmr Kaskar, good company and pleasant play and amusement could be found at all times, as well as noble young men who gave wine its due

> And expended by way of *qaṣf* whatever they got
> And let themselves be robbed there of whatever they earned and possessed.[90]

Gambling may have helped the young men to get rid of their money, but girls and wine were expensive enough to have the same result. It should be noted in this connection that while the motif of the young heir going through his inheritance is most common in Arabic stories, the possible role played by gambling in this process is hardly ever mentioned.[91] It should probably not be considered as self-evident, even if it was likely.

There is another very uncertain link in any attempted connection between play and gambling. All games could be used for gambling by the simple expedient of attaching stakes to them. However, by the same token, nearly all games could be enjoyed for their own sake without any accompanying gambling activity. This was a matter of individual preference, even if societal conventions no doubt exercised a certain pressure in this respect. The result is that

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[89] Cf. Ibn al-Ḥanbalī, *Durr al-ḥabab*, ed. M. al-Fākhūrī and Y. ʿAbbārah, I, i, 147 (Damascus 1972—). *Junaynah* "little garden" is something like "amusement park."

In his *Maqāmah al-jisrīyah*, ʿAlī b. Sūdūn al-Bashbughawī tells us that on Friday, 22 Jumādā II 852/23 August 1448, he learned that all the *maqāṣif* and *masarrāt* at al-Junaynah in Cairo were closed down and removed (but they were eventually restored and reopened), cf. his *Nuzhat an-nufūs*, Ms. Istanbul Reisülküttap 931, fols. 99b-102b. For al-Bashbughawī, those were mainly places for taking *ḥashīsh*. He says nothing at all about gambling.

[90] Cf. ash-Shābushtī, *Diyārāt*, 41 and 177, cited by Yāqūt, *Muʿjam (al-buldān)*, ed. F. Wüstenfeld, II, 689, and III, 725 (Göttingen 1866-1873).

[91] For a possibly historical example, see below, Ch. V, n. 43.

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whatever references are made to games in the literature, we cannot assume that gambling was present, unless it is expressly mentioned. The Muslims were themselves fully aware of this situation, since it involved the legality or illegality of any game.[92] In order to make the point that games were enjoyable—and permissible—without gambling, stories were circulated set in the earliest times of Islam in which husband and wife indulged in a little game. It can be assumed that in such cases, no gambling resulting in property changing hands was involved. For good measure, such absence of gambling proper is expressly stated in the report on Ibn Mughaffal playing dice (*nard*, *kiʿāb*) with his wife.[93] ʿAbdallāh b. Abī Awfā, who lived until about 705, was observed by a visitor as he played with his wife with a couple of dice (*bi-l-faṣṣayn*). This is reported under the rubric of gambling, yet, the point would seem to be that one could play dice without the presence of the objectionable aspects of gambling. Nevertheless, official disapproval was also expressed under these circumstances. A man playing the game of *fourteen* with his wife did what Muslims ought not to do.[94]

Whether used for gambling or not, the numerous games that were in frequent use could be viewed as being of three different types. In the words of Jean Barbeyrac, one of the Western writers on gambling in the seventeenth and eighteenth centuries, a distinction should be made between "les *Jeux de pure adresse*, ceux *de pur hazard*, & ceux qu'on peut nommer *mixtes*, qui tiennent des deux prémiers."[95] This distinction was alive, and its reality recognized by Muslims when they considered various sports and compared *nard* with chess.[96] Another distinction that might be drawn would be one separating gambling done by the participants in an event (the players of games, the owners of race horses) from gambling by spectators. In pre-modern times, the former kind would seem to have been prevalent almost exclusively, while at present, the latter has greatly gained on it with respect to importance in the total

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[92] See, for instance, below, pp. 106 ff.

[93] Cf. *Lisān*, II, 214. For Ibn Mughaffal, cf., e.g., Ibn ʿAbd-al-Barr, *Istīʿāb*, 996 f.

[94] Cf. ar-Rāghib al-Iṣfahānī, *Muḥāḍarāt*, I, 449. The visitor, named Yazīd b. Abī Khālid in the *Muḥāḍarāt*, was presumably Ismāʿīl b. Abī Khālid, one of Ibn Abī Awfā's transmitters. Cf. Ibn ʿAbd-al-Barr, *Istīʿāb*, 870 f.; Ibn Ḥajar, *Tahdhīb*, V, 151 f. (Hyderabad 1325-1327), etc.

[95] Cf. J. Barbeyrac, *Traité du jeu*, 2nd ed., I, 119 (Amsterdam 1737).

[96] See below, p. 169.

gambling picture. Or one might distinguish between gambling activities according to the principal vehicle employed for them, such as board games, human skill sports, animal skill sports, etc. For the following survey of games used for gambling, it has proved impossible to find a fully satisfactory scheme of arrangement. The one adopted here can claim no absolute logical validity. Games and other activities of pure hazard are mentioned first, to be followed by chess as the prime example of a game of "pure adresse," by board games principally involving dicing, and then by the large number of activities where some skill, human or animal, plays a role. In addition to games which are mentioned somewhere in the sources as potential or actual gambling games, some other games of possible interest have been included; no completeness of any sort has been attempted in connection with them. In particular, all that is known about games from more recent times and from the travel literature and the numerous studies of present-day's children's games has been disregarded.

The exact rules according to which the games were played, and frequently even the types to which they belonged, are usually not known to us with any exactness. This "breaking of the thread of understanding with respect to once well-known games"[97] has been remarked upon by Western historians of the subject of Western games. Considering the few basic types and the innumerable variations of them that are possible, it would seem natural that without the most detailed description, sporadic references to the names and general characteristics of games are of little use for their precise reconstruction. No great effort has been made here to discuss and establish what we know about the games as such. Special attention has been paid only to what we are able to learn about potential or actual gambling activities connected with them.

1. *Betting*

Probably the purest form of gambling, wagering on the outcome of singular events in no material way capable of being influenced by the bettors need not be accompanied by the exchange of property in order to appeal to the imagination (witness, for instance, the com-

[97] Cf. A. Steiger, in his edition of Alfonso el Sabio, *Libros de acedrex, dados e tablas*, XXVI (Geneva and Zürich 1941, *Romanica Helvetica* 10). Cf. also, for instance, O. Ore, *Cardano, the Gambling Scholar*, 108 (Princeton 1953).

mon English use of the words "I bet"), but it ordinarily is. It is rarely mentioned in Arabic literature. A theoretical reference to it is perhaps implied in Ibn al-ʿArabī's definition of gambling as having something to do with either "action" or "statement (*qawl*)." "Statement" could refer to a situation in which an individual says that an arbitrary event will have such-and-such an outcome, and bets on it. However, while Ibn al-ʿArabī may also have had in mind this sort of wagering, his distinction between action and statement was more probably meant to envisage gambling done by participants and gambling by non-participants. Still, Ibn al-ʿArabī elsewhere explained *murāhanah* further as "an expression for agreement concerning the obligation (to pay) something upon the appearance of one of two conflicting claims as to statement or as to existence (*fī l-qawl aw fī l-wujūd*)..."[98] Here, just the sort of betting we are speaking of could easily be meant and give weight to the interpretation of "statement" as betting also in the first passage.

A famous example of betting "before betting (*rihān, qimār*) was forbidden"[99] has its place in all commentaries on the Qurʾān in connection with *sūrah* 30:1-4/1-3: "The Byzantines have been defeated in the nearest land, but after their defeat, they will be victorious in a few years." The polytheists in the Prophet's own environment were, we are told in the fully developed versions of the story, partisans of the Persians who, having no revealed scripture, were not as close to the Muslims as were the Christian Byzantines. They made a bet (*nāḥaba, rāhana*, also *bāyaʿa, qāmara, khāṭara*)[100]

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[98] Cf. Ibn al-ʿArabī, *ʿĀriḍat al-aḥwadhī*, XII, 67, and above, Ch. I, n. 9.

[99] *Rihān* in Ibn al-Jawzī, *Zād (al-musāfir)*, VI, 287 (Damascus 1384-1388/1964-1968), *qimār* in aṭ-Ṭabarī, *Tafsīr*, XXI, 11, 13 (Cairo 1321). The commentator on aṭ-Ṭaḥāwī in Ms. Istanbul Jarullah (below, n. 213) refers to Abū Bakr's wager as a practice permitted in the beginning (of Islam) that was abrogated later on. Cf. also al-Qurṭubī, *Jāmiʿ*, XIV, 2 f., and, especially, Ibn Qayyim al-Jawzīyah, *Furūsīyah*, ed. ʿIzzat al-ʿAṭṭār al-Ḥusaynī, 5 (Beirut, n. y. [1974]). The *Furūsīyah* deals exhaustively with the sports that were within the purview of the jurists, and presents the material with outstanding clarity. It often refers to Abū Bakr's wager (pp. 4 f., 35 f., 65 f., 80) and analyzes its legal significance. In connection with it, Ibn Qayyim al-Jawzīyah reports the Ḥanafite opinion that betting (*rihān*) is forbidden only when it is done in a context lacking religious merit, but where it serves the purpose of presenting evidence for the truth of Islam, it is justified and clearly permitted, even more so than are archery contests (p. 6).

[100] The different versions are of interest because of the betting terms used in them. In addition to those mentioned above, we find, for instance, *mujāʿalah* = *murāhanah, tawāḍaʿū ar-rihān, iqtamarū* in the eighth conjugation, etc. (aṭ-Ṭabarī, *Tafsīr*, XXI, 13; cf. also below, n. 236).

with Abū Bakr that the Prophet's prediction of a Byzantine victory and Persian defeat would not come true. However, it did, and Abū Bakr won the bet. The different versions of the story differ as to the time limit (*ajal*) placed on the bet. The Prophet, asked for advice by Abū Bakr, indicated the right time to him. Abū Bakr had thought of three years but was advised by the Prophet to increase the term, because "a few years" meant between three and nine. The bet was concluded for four, or five, or seven years. When Abū Bakr chose too short a term, the Prophet told him to double the bet (*khaṭar*) and extend the term, either beforehand or at the expiration of the term. The polytheists agreed to that, and lost. There is even a report that Abū Bakr set six years (?, lit. "year six") as the term, because the mean between three and nine is six, and lost.[101] The amount of the bet is indicated as ten young she-camels (*qalūṣ*) on either side, raised to a hundred; or four or five raised to an unspecified number; or is just said to have been so-and-so much without any figure.[102]

Nothing very precise can be done with this tradition. The spokesman for the polytheists is most frequently stated to have been Ubayy b. Khalaf, who died in 624 (the same year in which, according to the guess of some Muslim scholars, the Byzantines won out over the Persians,[103] which prompted the remark that Abū Bakr collected the bet from the family of Ubayy).[104] Much less well attested is the role of Abū Sufyān b. Ḥarb as the instigator of the bet among the polytheists.[105] It smacks of anti-Umayyad invention.

The brief commentary ascribed to Ibn ʿAbbās merely states that Abū Bakr aṣ-Ṣiddīq made a bet (*bāyaʿa*) with Ubayy b. Khalaf for ten camels. This would be an almost contemporary testimony, if the commentary were genuine. However, it is a rather late concoction and cannot be used for historical conclusions.[106] Much more important

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[101] Cf. Ibn al-ʿArabī, *ʿĀriḍat al-aḥwadhī*, XII, 71; Ibn al-Jawzī, *Zād*; al-Qurṭubī, *Jāmiʿ*, XIV, 2.

[102] Cf., for instance, aṭ-Ṭabarī, *Tafsīr*, XXI, 10 ff., and *Annales*, ed. M. J. de Goeje and others, I, 1006 (Leiden 1879-1901); az-Zamakhsharī, *Kashshāf*, II, 402 (Būlāq 1318-1319); Ibn al-Jawzī, *Zād*, VI, 287 f.; adh-Dhahabī, *Taʾrīkh al-Islām*, I, 135 f. (Cairo 1367—).

[103] Cf. at-Tirmidhī, in Ibn al-ʿArabī, *ʿĀriḍat al-aḥwadhī*, XII, 69.

[104] Cf. az-Zamakhsharī, *Kashshāf*; al-Qurṭubī, *Jāmiʿ*, XIV, 3, quoting an-Naqqāsh (d. 351/962).

[105] Cf. Ibn al-Jawzī, *Zād*.

[106] For the *Tafsīr* of Ibn ʿAbbās, I checked Mss. Istanbul Feyzullah 43, fols. 240b-241a, and Veliuddin 94, fol. 156a; al-Fīrūzābādī, *Tanwīr al-miqbās*,

in this respect is the *Tafsīr* of Muqātil b. Sulaymān, who died in 150/767. It contains a brief statement to the effect that Abū Bakr bet (*khāṭara*) the unbelievers, and on the day of Badr, the Muslims defeated the unbelievers and at the same time received the news that the Byzantines had defeated the Persians. It further contains the longer version, with Abū Bakr's original bet of ten *qalūṣ* for three years and the Prophet's advice to him to extend the term and raise the bet, which he does to seven years and a hundred *qalūṣ*. This is further connected with a long story about the dynastic succession in Persia during that period.[107] This would seem to take us back into the first half of the eighth century. However, the preserved text of Muqātil's comments on the Qur'ān is the work of a certain ʿAbdallāh b. Thābit at-Tawwazī (223-308/838-921). ʿAbdallāh studied the work with his father, Thābit b. Yaʿqūb, who at the time of his death was eighty-five years old, in the year 240/854-5, and Thābit, in turn, received the text from the little known al-Hudhayl b. Ḥabīb, a transmitter of Muqātil, in the year 190/805-6.[108] Now, the brief version may indeed go back to Muqātil, even if we have no real assurance that this is so. The long version is stated expressly to be one of the many additions of al-Hudhayl, not on the authority of Muqātil but on the authority of Abū Bakr al-Hudhalī (d. 166-7/782-3)[109] who transmitted it on the authority of ʿIkrimah, who supposedly had died between over sixty to eighty years earlier. All these details leave no doubt as to the highly suspect character of the text of Muqātil's *Tafsīr*. It cannot be dated safely before the lifetime of ʿAbdallāh b. Thābit, that is, the ninth century.

Outstanding among the various supposed first reporters to whom the story is ascribed in the traditions of aṭ-Ṭabarī's *Tafsīr* is the rather legendary ʿIkrimah. The chains of transmitters in at-Tirmidhī and aṭ-Ṭabarī suggest that the story's written transmission began

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41 (Cairo 1356, in the margin of the Qur'ān). Cf. (F.) Sezgin, *(Geschichte des arabischen Schrifttums,)* I, 27 (Leiden 1967—).

107 For Muqātil's *Tafsīr*, I checked Ms. Istanbul Feyzullah 79, fols. 49b-50a. If my notes are exact, Ms. Istanbul H. Hüsnü Pasha 17, fols. 230b-231a, does not contain the longer version. Cf. Sezgin, I, 36 f. For the long story, cf. aṭ-Ṭabarī, *Annales*, I, 1006 f.

108 For the history of the transmission of the text, cf. al-Khaṭīb al-Baghdādī, *Taʾrīkh Baghdād*, IX, 426 f., VII, 143, and XIV, 78 f. (Cairo 1349/1931). The information of the Khaṭīb al-Baghdādi no doubt goes back to some copy of ʿAbdallāh b. Thābit's text.

109 Cf. adh-Dhahabī, *Taʾrīkh al-Islām*, VI, 320; Ibn Ḥajar, *Tahdhīb*, XII, 45 f.

with Abū Isḥāq al-Fazārī (d. 186/802)[110] on the authority of Sufyān ath-Thawrī (d. about 161/778).[111] The alleged role of Ibn Shihāb az-Zuhrī (d. about 123-5/740-3)[112] in this connection appears highly dubious, because information on his supposed transmitter (ʿAbdallāh b. ʿAbd-ar-Raḥmān al-Jumaḥī) is lacking. Altogether then, it would seem the most plausible assumption that the story of Abū Bakr's wager was circulated orally in some vague form and entered the literature in one version or another already early in the eighth century. This, however, does not guarantee that the details on betting to be gathered from it actually reflect the situation prevailing at that time, although no great changes are likely to have taken place between the first appearance of the story and its appearance in the written forms known to us.

Another early story of a bet comes to us from the eighth century. Two Arabs contracted a wager (*bāyaʿa*) that it would not be possible to make the slave of one of them tell a lie. At stake were their families and property. The slave, asked to stay for one night with the challenger, gave his master upon his return an accurate and truthful description of what had happened to him, but only as far as this was possible for him.[113]

Aṣ-Ṣafadī, who quoted this old story, also reports elsewhere a seemingly historical anecdote concerning Judge Ibn Ṣaṣrā (655-723/1257-1323). The secretaries in charge of taking down decisions (*tawqīʿ*) bet among each other (*tarāhana*) that one of them would be able to beat Ibn Ṣaṣrā to the greeting, but none was able to do it.[114] Nothing is said about what the bet consisted of and, in fact, whether any money or thing of value was involved. In another fictional bet

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[110] Cf. Sezgin, I, 292.

[111] Cf. Sezgin, I, 518.

[112] Cf. Sezgin, I, 280.

[113] Cf. al-Mufaḍḍal aḍ-Ḍabbī, *Amthāl (al-ʿArab)*, 76 (Constantinople 1300); aṣ-Ṣafadī, *al-Ghayth (al-musajjam fī sharḥ Lāmīyat al-ʿAjam)*, II, 210 (Cairo 1305). For al-Mufaḍḍal, cf. R. Sellheim, *Die klassisch-arabischen Sprichwörtersammlungen*, 45-48 (The Hague 1954). The proverb, for which this story is intended to provide an explanation (*ʿind an-nawā yakdhibuka aṣ-ṣādiq*), became known in the West already through J. Scaliger and T. Erpenius, *Proverbiorum arabicorum centuriae duae*, 2nd ed., 92 (Leiden 1623). Cf. az-Zamakhsharī, *al-Mustaqṣā (fī amthāl al-ʿArab)*, II, 169 (Hyderabad 1381/1962); al-Maydānī, *Arabum Proverbia*, ed. G. W. Freytag, II, 106 f. (Bonn 1838-1843); (Anonymous,) *Kitab al-Amthāl*, 74 (Hyderabad 1351).

[114] Cf. aṣ-Ṣafadī, *Wāfī*, VIII, 17. What is meant here is probably not Ibn Ṣaṣrā's quick and courteous way of greeting but the speed with which he reached the greeting at the end of *tawqīʿs* he wrote(?).

(*tarāhana*), however, a "condition" with no further detail is mentioned. That bet was made with a preacher (*wāʿiẓ*) who said he could eat, drink, and play the *ṭunbūr* while holding a service.[115] When two demons in the *Arabian Nights* wagered on whether Budūr or Qamar-az-zamān was more beautiful, the wording of the text suggests that they did so for something; demons could naturally be assumed to have recourse to all sorts of illegal actions.[116]

The paucity of references to betting has apparently to be taken as an indication that betting in this manner was not considered particularly interesting and, possibly, was not widely and spectacularly practiced. In fact, the four passages cited, apart from the story connected with the Qur'ān, do not constitute wagering on future events but wagering as a means to stress the correctness of one's opinion concerning attitudes and qualities already in existence and observable. This was hardly a gamble and involved no conflict with the idea of the predetermination of things that are going to happen.

2. *Guessing Games*

The Shāfiʿite ar-Rāfiʿī, among many others, mentions, as a potential gambling activity, "knowledge of what is in the other's hand" (*maʿrifat mā fī yad al-ākhar*).[117] Elsewhere, we find the clarifying addition, "of odd or even."[118] Otherwise, one might think that the guessing involved the hand in which an object was concealed, or rather, what the concealed object was. This last possibility is in fact indicated in one of the lexicographical definitions of the game called *kharīj*. Usually, however, *kharīj*, along with *kharāji*,[119] *mukhārajah*, or *munāhadah*, is described as a game that required guessing at the number of fingers held up briefly by one of the players.[120] In a commentary on a verse by al-Muraqqish the Elder, it

[115] Cf. al-Jawbarī, *Kashf*, 17.

[116] Cf. *Arabian Nights*, ed. Macnaghten, I, 826 f., trans. Littmann, II, 378 (180th night). Cf., further, the verse of aṣ-Ṣanawbarī, below, Ch. IV, n. 66.

[117] Cf. ar-Rāfiʿī, *Muḥarrar*, Ms. Istanbul Fatih 2103, fol. 267b, and Ms. Brit. Mus. or. 4285, fol. 111a. See below, Ch. III, n. 160.

[118] Cf. the glossator of Ms. Istanbul Fatih 2103 of ar-Rāfiʿī, *Muḥarrar*, fol. 267b; az-Zarkashī (?), Commentary on an-Nawawī's *Minhāj*, Ms. Yale L-54a (Cat. Nemoy 1054), fol. 161b. There seems to be no relationship to the game named *khasā-wa-zakā* "odd and even," see below, n. 278.

[119] See below, n. 277.

[120] Cf. Lane, 718b, 710c-720a; J. Hell, *Der Diwan des Abu Ḏu'aib*, 29, n. 1 (Hannover 1926) (?). Differently Hyde, II, 225 f.

was also suggested that *mukhārajah* (*musāhamah*) served as a sort of charity lottery.[121] Presumably, a number of different games are included under those terms, some of which may not have been guessing games.

A Bedouin guessing game, called "lizard game," consisted of drawing a lizard in the sand and placing the hand upon one part of its body. The other party had to guess without looking which part it was that was covered by the hand.[122]

Verses by Ṭarafah and Labīd compare a ship cutting through the waves and the forelegs of a wild bull in flight parting the desert sand, respectively, to "a *mufāyil* dividing the sand with his hand" and to "a gambler (*muqāmir*) playing *fiyāl*." *Fiyāl* is explained as a game in which an object is buried in one of two small plots of sand, with the winner being the one who guesses in which one of the two it is.[123] This is sometimes called a children's game, but it may not have been played exclusively by children. The suggestion of some lexicographer that it is to be identified with *suddar/ṭuban*[124] is hardly possible, if the very imperfect description given of the latter is even approximately correct. A description very similar to that of *fiyāl* is given to a game called *unbūthah*.[125]

3. *Lotteries and the Casting of Lots (Qurʿah)*

True lotteries depend on two things, the haphazard drawing, from a number of alike and marked tokens, the one that designates the winner and the contribution by the participants of a share of the prizes. The famous *maysir* game of pre-Islamic times fulfilled both conditions and thus was a true lottery. It will be discussed in some detail in the following chapter. No other true lottery seems to have been reported in Muslim sources.

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[121] Cf. *al-Mufaḍḍalīyāt*, ed. C. J. Lyall, I, 477, II, 178 (Oxford 1918-1921).

[122] Cf. al-Jāḥiẓ, *Ḥayawān*, VI, 43 f. (Cairo 1323-1325), ed. ʿAbd-as-Salām M. Hārūn, VI, 146 (reprint Cairo 1384-1389/1965-1969).

[123] Cf. Ṭarafah, *Dīwān*, ed. M. Seligsohn, text 7, trans. 31 (Paris 1901), and Labīd, in *Sharḥ Dīwān Labīd*, ed. Iḥsān ʿAbbās, 80 (Kuwait 1962). The verse does not appear in the edition and translation of Labīd's poems by A. Huber and C. Brockelmann (Leiden 1891). Ṭarafah's verse is quoted in *Lisān*, XIV, 51. For a description of the game, cf. also Lane, 2325c-2326a, 2474c-2475a.

[124] See below, p. 63.

[125] Cf. (Abū Hilāl) al-ʿAskarī, *at-Talkhīṣ (fī maʿrifat asmāʾ al-ashyāʾ)*, ed. ʿIzzat Ḥasan, 722 (Damascus 1389-1390/1969-1970); *Lisān*, III, 15. *Mufāyalah* is mentioned by al-ʿAskarī, *Talkhīṣ*, 719. Cf. already Hyde, II, 261 f., who refers to Golius, *Lexicon Arabico-Latinum*, 2289 (Amsterdam 1653).

The casting of lots is done to determine doubtful issues or to distribute property. It does not normally involve a contribution on the part of its beneficiaries or victims, and cannot be characterized as gambling. In Islam, it occasionally was considered as gambling and therefore classified as illegal. When lots were drawn to decide who was to undertake a dangerous or unpleasant task, this constituted a sort of risk taking that could easily appear objectionable on that basis to certain Muslim jurists. This applies to the story of Jonah and, for instance, to a situation such as the one in which two men cast lots as to who should descend into a well to fetch honey from a beehive in it.[126] The Qur'ān refers to the casting of lots in connection with Maryam (Mary), supposedly participated in by Zakarīyā' (3:44/39). More explicit is the use of lots (*sāhama*)[127] in the case of Yūnus (Jonah) who lost (*d-ḥ-ḍ*)[128] and was thrown into the sea (37:141/141). There were also some Prophetic traditions describing decisions made on the basis of casting lots. Consequently, decision by lot came to be permitted for a variety of legal cases concerning manumission, divorce, inheritance, and other situations in which claims of equal validity were to be resolved. While in ancient pre-Islamic times arrows were supposed to have been used as lots, as indicated also by the use of the verb *sāhama*, the later common practice was the use of pieces of paper (*ruq'ah*, pl. *riqā'*) or of seal rings put into and then drawn from the wide sleeves of scholarly garments. A detailed description of the legal role of lots was, for instance, given by the Ḥanbalite Ibn Qayyim al-Jawzīyah.[129] Repeatedly he mentions that Ibn Ḥanbal expressed himself

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[126] Cf. Ḥamzah al-Iṣfahānī, *Durrah*, 280.

[127] While the expression used in the Qur'ān is commonly equated with the casting of lots, a fantastic elaboration of the story occurs in al-Kisā'ī, *Qiṣaṣ al-anbiyā'*, ed. I. Eisenberg, 299 (Leiden 1922-1923). It describes a preliminary casting of lots, followed by a procedure designated by the verb *tasāhama* where everybody wrote his name on a small ball of lead. All those balls were thrown into the sea, and the one with the name of Yūnus on it surfaced. The story presupposes a general interest of the reader in procedures of casting lots.

[128] It may be noted that this verb is explained by *maqrū'* or *maghlūb*. However, *maqmūr* which would indicate an association with gambling appears in ar-Rāghib al-Iṣfahānī, *Muḥāḍarāt*, I, 447.

[129] Cf. Ibn Qayyim al-Jawzīyah, *aṭ-Ṭuruq al-ḥukmīyah*, 287-328 (Cairo 1372/1953). For the use of the *qur'ah* to decide equal claims, cf. also the Shāfi'ite 'Abd-al-'Azīz b. 'Abd-as-Salām, *Qawā'id*, I, 74, 90 f. (Cairo 1388/1968). Ibn 'Abd-as-Salām, I, 96, makes it clear that lots are not admissible for deciding who is to be thrown overboard if a ship is in danger of sinking, in contrast to what was possible in pre-Islamic times, as evidenced by the

to the effect that people who considered the use of lots as gambling were either evil or ignorant. Indeed, one of them, we are told elsewhere, was the ill-famed (Ḥanafite) Bishr al-Marīsī.[130] It seems understandable that in spite of all the impeccable precedents in favor of casting lots, the "making of a distinction in cases of ambiguity"[131] by lot could be considered an inadmissible avoidance of legal reasoning in favor of recourse to chance and therefore be rejected. Still, "gambling" is hardly the proper description of it.

In the story of the fisherman Khalīfah in the *Arabian Nights*, the caliph appearing in it takes a piece of paper, cuts it into small pieces, and tells his wazīr Ja'far to write on each piece a different prize, such as money in the amounts of one dīnār to one thousand dīnārs, offices, punishments, etc. Then he orders Khalīfah to draw one of those pieces of paper. The first time, Khalīfah draws a hundred lashes, then a blank, and finally one dīnār.[132] This episode is similar to modern give-away shows on television and has the same purpose, that is, to translate wishful thinking into imagined reality. On a smaller scale, such competitions for prizes may occasionally have been organized, even if we have no concrete evidence for them. They do not qualify as lotteries, but in the overall Muslim view of gambling, they could indeed be considered as gambling activities. The same can be said about the occasions, no doubt quite common, when military booty and the like was distributed by means of lots.

For an example of a divinatory practice called *qur'ah*, see below, p. 51.

4. *Dicing*

Although it may be right to say that dice games can be made dependent on skill and judgment,[133] the throwing of dice as such can

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story of Yūnus. For the *ḥadīth*s on casting lots, see *Concordance*, V, 367b-368a. Cf. also, for instance, az-Zubayr b. Bakkār, *Muwaffaqīyāt*, ed. S. M. al-'Ānī, 363 (Baghdād 1972); al-Kindī, *Wulāh* (below, n. 205), 138.

[130] Cf. Ibn Abī Ḥātim ar-Rāzī, *Ādāb ash-Shāfi'ī*, ed. M. Z. al-Kawtharī, 175 (Cairo 1372/1953).

[131] *At-tamyīz 'ind al-ishtibāh*, cf. Ibn Qayyim al-Jawzīyah, *aṭ-Ṭuruq al-ḥukmīyah*, 308.

[132] Cf. *Arabian Nights*, ed. Macnaghten, IV, 178-180, trans. Littmann, V, 539-543 (841st to 842nd nights). The word *qur'ah* is expectedly not employed in the story.

[133] Cf. O. Jacoby, in M. Ploscowe and E. J. Lukas (eds.), *Gambling*, in *Annals of the American Academy of Political and Social Science*, CCLXIX (1950), 41. See also below, n. 157.

be considered a game of pure chance. All through Islamic times, the dice (*faṣṣ, kaʿb, kaʿbah*) used in games were usually two in number. Each was marked with pips (*nuqaṭ*) resulting in the numerical value of seven for each two parallel sides of the six sides of the cube.[134] The word *qimār* "gambling" is specifically applied to their use.

The question is to what an extent dice served for gambling by themselves or were props for gambling games dependent on them. They normally appear in connection with *nard*. Most likely, the majority of references to dice, whether *nard* is mentioned at the same time or not, has to be considered as referring to *nard*. *Nard*, in fact, was also simply called *kiʿāb*, referring not to the men (*kilāb*, lit. "dogs") used in the game but to the dice. The designation of the numerical values of the pips with Persian numerals also points to a connection with a game of Persian origin such as *nard*.

In Graeco-Arabic translation literature, the addition of *nard* where the Greek text has *kybeuein* thus came naturally. For the translation of the dream book of Artemidorus, the usage can easily be checked with the help of the lexicographical study by E. Schmitt.[135] *Kybeuein* (205 Pack/369-70 Ar.) is rendered *fī l-liʿb bi-n-nard*. On the other hand, *psēphopaiktein* (228 Pack/419 Ar.) appears as *liʿb bi-l-fuṣūṣ*, which would refer to dice rather than the pieces used in the game. And *paizein psēphois* (13 Pack/27 Ar.) curiously enough is rendered "playing chess."

One of the sayings going back to the *Monosticha* of Pseudo-Menander reads: "Either you do not play *nard*, or you tolerate whatever fate may bring."[136] The Greek original has not yet been

[134] Cf. the description of dice in aṣ-Ṣafadī, *Ghayth*, II, 52; al-Qalqashandī, *Ṣubḥ (al-aʿshā)*, II, 141 (Cairo 1331/1913). For *faṣṣ*, cf. Syriac *pessā, pessṯā*, and *peṣṣṯā*, pl. *peṣṣē*. C. Brockelmann, *Lexicon Syriacum*, 580a, 438a (Halle 1928), seems to suggest a derivation from the roots *n-p-s* and *n-p-ṣ*. However, a derivation from Greek *pessos* (hardly *psēphos*), with, perhaps, some influence from a Semitic root, appears preferable, cf. S. Fraenkel, *Die aramäischen Fremdwörter im Arabischen*, 59 ff. (Leiden 1886). *Kaʿb*, pl. *kiʿāb*, meant originally no doubt astragals, and not six-sided dice with pips. This causes a certain problem with regard to the oldest Arabic references and with regard to children's games. In both cases, astragals would often appear to be meant.

[135] Cf. E. Schmitt, *Lexikalische Untersuchungen zur arabischen Übersetzung von Artemidors Traumbuch* (Wiesbaden 1970). "Pack" refers to the edition of the Greek text by R. A. Pack (Leipzig 1963), while "Ar." refers to the edition of the Arabic text by T. Fahd (Damascus 1964).

[136] Cf. M. Ullmann, *Die arabische Überlieferung der sogenannten Menandersentenzen*, 35, no. 150 (Wiesbaden 1961, *Abh. für die Kunde des Morgenlandes* 34,1). For the idea expressed here, cf. below, Ch. IV, n. 64.

traced. It is quite likely to have been something like this: *Ē mē kybeuēis ē hypomeneis (?) tēn tychēn.*

On a more scholarly level, it is true, *kybeutēs* would be translated by *muqāmir*. This is what we find in the translation of the *Nicomachean Ethics* 1122a7-8.[137]

In astrological works, gaming and amusement of all sorts is associated with the planet Venus. In the Arabic translation of Dorotheus, Mercury in the field of Venus indicates people who are interested in playing *nard*.[138] In this connection, Mercury apparently signifies the commercial gambling aspects of gaming. The Greek original is not preserved. It probably contained something like *kybeuein*. However, when Abū Maʿshar refers to Venus and its influence on the right time for playing chess and *nard*, we cannot be sure of the existence of a Greek prototype for his statement.[139] We also must admit that the pre-Islamic original of the story about the sage Luqmān and his master's gambling escapes us. When it is described as involving *nard*,[140] this may reflect the common later identification of dicing with *nard*.

"Gambling" (*qimār*), however, is occasionally coordinated with *nard* (and other games) in a way which might be taken to indicate that a distinction was made between dicing and *nard*. In the case of children's games, *kaʿb* (pl. *kiʿāb*) is distinguished from *nard* and all kinds of *qimār*, but *kaʿb* here probably does not refer to ordinary dice.[141] It is different in the case of a passage from the *Ḥiyal al-luṣūṣ* of al-Jāḥiẓ where thieves are praised "for playing *nard* and

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137 Cf. Ibn Abī Dharr (al-ʿĀmirī?), *as-Saʿādah (wa-l-isʿād)*, ed. M. Minovi, 75, 232 (Wiesbaden 1957-1958). The original translation of the *Nicomachean Ethics* remains to be checked.

In the edition of the Arabic translation of Polemo's physiognomics (*Scriptores physiognomonici*, ed. R. Förster, I, 123, l. 5, Leipzig 1893), the editor, G. Hoffmann, read "play" *(l-ʿ-b)* and suggested it was a translation of *philokybos*. This is pure fancy, depending on a substitution for the transmitted "talking" *(ḥadīth)*.

138 Cf. F. Rosenthal, *Das Fortleben der Antike im Islam*, 326 (Zürich and Stuttgart 1965), Engl. trans., 241 (London 1975).

139 Cf. Abū Maʿshar, *al-Madkhal (fī ʿilm aḥkām an-nujūm)*, Ms. Istanbul Jarullah 1508, fol. 208b, and Ms. Brit. Mus. add. 7490, fols. 246b-247a (where polo is also mentioned). Cf. also al-Bīrūnī, *at-Tafhīm (li-awāʾil ṣināʿat at-tanjīm)*, ed. R. R. Wright, 251, 254 (paras. 430, 435) (London 1934).

140 Cf. al-Mubashshir, *Mukhtār al-ḥikam*, ed. ʿA. Badawī, 260 f. (Madrid 1958), see below, Ch. III, n. 6.

141 Cf. Ibn al-Ukhūwah, *(Maʿālim al-qurbah fī aḥkām al-ḥisbah,)* ed. trans. R. Levy, text 214, trans. 86 (London 1938, *E. J. W. Gibb Memorial Series, N. S.* 12).

chess and encouraging *qimār*."[142] Here, *qimār* apparently referred to all kinds of gambling, among which *nard* and chess were only the most prominent examples. A secretary of the caliph al-Mahdī wrote to the governor of Mecca, reproaching the Meccans with evil conduct such as wasting their time with "*nard, qimār, maysir*, chess, and all other diverting and distracting worthless pursuits (*abāṭīl*)."[143] Much later, the gambling poet, Ibn Ǫutulmish, was described as being devoted to *qimār* and *nard*.[144] Unless *qimār* here is again used losely for all kinds of gambling, it would seem possible that a distinction was intended between the use of dice by themselves and their use in connection with *nard*. But what would be the distinction between *qimār* and dicing when at-Tawḥīdī speaks of "gamblers (*muqāmirūn*) and persistent dice players (*al-liʿb bi-l-kaʿbatayn*)"?[145]

Only as late as the sixteenth century, in the work on major sins by Ibn Ḥajar al-Haytamī (909-974/1504-1567), do we hear about "gambling whether done independently or in connection with a disapproved game such as chess or a forbidden one such as *nard*."[146] The author has no further explanation as to what he meant by "independent gambling." While other interpretations are possible and independent gambling might refer to such things as betting on unstaged events, it may be preferable to find in it a reference to dicing. The assumption that simple dicing was a gambling pastime in Islam as elsewhere is a natural one. However, whether it was widespread and how it was done in detail are matters that await documentation not available at present.

5. *Chess*

Turning from games of pure chance to games of true skill, the

[142] Al-Jāḥiẓ was quoted by al-Isfarāʾinī, *at-Tabṣīr (fī d-dīn)*, ed. M. Z. al-Kawtharī, 50 f. (Cairo 1359/1940). "Encouraging" is based upon the necessary reading *wa-bi-ḥaththihim*.

[143] Cf. the addition of al-Khuzāʿī to al-Azraqī's History of Mecca, in F. Wüstenfeld, *Die Chroniken der Stadt Mekka*, IV, 163, 168 (Leipzig 1857-1861). See below, Ch. V, n. 89.

[144] Cf. Yāqūt, *Irshād (al-arīb)*, ed. D. S. Margoliouth, VII, 14 (Leiden and London 1907-1927, *E. J. W. Gibb Memorial Series* 6), ed. A. F. Rifāʿī, 2nd ed., XVIII, 206 (Cairo, n. y. [1357/1938]); al-Kutubī, *Fawāt (al-Wafayāt)*, ed. M. Muḥyī-ad-dīn ʿAbd-al-Ḥamīd, II, 420 (Cairo 1951); aṣ-Ṣafadī, *Wāfī*, III, 127. See below, Ch. V, n. 43. The vocalization Ǫutulmish (also Ǫaṭarmish) is uncertain.

[145] Cf. at-Tawḥīdī, *Akhlāq al-wazīrayn*, 185. See below, Ch. IV, n. 1, Ch. V, n. 73.

[146] Cf. Ibn Ḥajar al-Haytamī, *az-Zawājir (ʿan iqtirāf al-kabāʾir)*, II, 187 ff. (Cairo 1370/1951).

only gambling game that would truly qualify for this designation practiced in the Muslim world was chess. It was the most famous game in Medieval Islam, as it can justly be proclaimed the world's most famous game. Every educated person as well as every person aspiring to belong to the educated elite can be assumed to have been in some way familiar with it or at least to have known about it. Books were written on it (and have been preserved), and the discussions of it in Muslim literature are innumerable. The modern scholarly literature dealing with the history of chess in Islam and in the world is large and informative.[147] As did *nard*, chess also provided the subject for manuscript illustrations.

When chess is brought into connection with gambling (*qimār*), it does not refer to certain varieties of the game for which dice were used, but rather to playing it for stakes. As a rule, the players themselves put up the stakes they played for. This would fall into the category of illegal gambling. It was different when the prize was established by a non-participant, which happened comparatively rarely. According to legend, Indian rulers in old times might organize a game of chess as a means for the peaceful solution of territorial claims,[148] but the gambling aspect of chess was never considered by Muslims as something beneficial. Even without gambling, however, chess was serious business. It could well serve as a model for a youth beginning his career as a merchant: "Take away all your opponent has, and hold on to all you have,"[149] just as chess players do.

Chess was played by two persons, or in the form of tournaments where one player would challenge many others, in order to prove his superior skill. There was blindfold playing, and there were many blind players. On occasion, multiple games were going on simultaneously. As an illustration for this last situation, we may mention an anecdote about the famous ninth-century jokester, Abū l-'Aynā', as reported by ash-Shābushtī. On a hot summer day, Abū l-'Aynā'

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[147] A reference to the recent and most detailed publication by Wieber, *Schachspiel* (above, n. 83), and its bibliography, pp. 489-505, will suffice.

[148] Cf. Murray, *A History of Chess*, 212; Wieber, *Schachspiel*, 92; al-Ghuzūlī, *Maṭāli'*, I, 76 f. For a dice game with political consequences, cf. also al-Bīrūnī, *India*, 338 (Hyderabad 1377/1958), trans. E. Sachau, I, 403 (London 1888, reprint 1964).

[149] Cf. Badī'-az-zamān al-Hamadhānī, *Maqāmāt*, 214 f. (Beirut, n. y.), trans. W. J. Prendergast, 155 (London and Madras 1915, reprint London and Dublin 1973).

went to the house of the Ṭāhirid ʿUbaydallāh b. ʿAbdallāh. There he found people playing chess. ʿUbaydallāh explained that they were playing for a stake (*nadab*), till there would be time for dinner. He asked Abū l-ʿAynāʾ to choose sides, and Abū l-ʿAynāʾ naturally took the side of the amīr. They lost, whereupon Abū l-ʿAynāʾ was told that his share in the loss was twenty pounds of ice (*thalj*), a valuable commodity used for purposes of refrigeration. Abū l-ʿAynāʾ went out and soon came back with Ibn Thawābah, whom he declared to be a mountain of ice, suggesting to ʿUbaydallāh that he pay their loss with him and use what was left over for continued playing with his friends.[150] Apparently, the point of the anecdote was to ridicule the unsuspecting Ibn Thawābah for his enormous "frigidity," that is, his uncouth personality and boring and boorish behavior or the unattractiveness of his literary efforts. We would have profited more from greater precision concerning the actual situation as envisaged by the reporter of the anecdote, such as who was playing whom and for what stakes. It would seem, however, that the anecdote furnishes us with an example of betting by non-participants on games played by others; this probably mostly happened when champion players played others for a championship, especially if the contest took place under the sponsorship of men important in public life.

Chess playing had its fanatical devotees who became totally absorbed in the games they happened to be engaged in. This then affected their performance of the prescribed religious duties. As a humorous anecdote claims, it might even go so far that a person on his deathbed, when asked to pronounce the confession of faith, would gasp out only the one word, "check (mate)" (*shāhak*).[151] The neglect of duty attributed to playing chess greatly agitated the religious

[150] Cf. ash-Shābushtī, *Diyārāt*, 57 f., quoted by Yāqūt, *Irshād*, ed. Margoliouth, VII, 64, ed. Rifāʿī, XVIII, 291, and aṣ-Ṣafadī, *Nakt al-himyān*, 267 (Cairo 1339/1911).

[151] Cf. adh-Dhahabī, *Kabāʾir*, 89 (Cairo 1385/1965); Ibn Ḥajar al-Haytamī, *Zawājir*, II, 190. Cf. also az-Zamakhsharī, *Rabīʿ*, fol. 86b, who has *shāh māt*. Tempting as it may be for semantic reasons to assume that the European *scacci* "chess men, chess" goes back to the exclamation *shāhak*, and not to the unaugmented exclamation *(ash-)shāh*, it is not really required by the phonetic situation. For *ash-shāh* used to designate the game itself, cf. the stories reported by adh-Dhahabī and Ibn Ḥajar al-Haytamī. The usage can be traced already in Ibn Abī d-dunyā, *Dhamm (al-malāhī)*, ed. trans. J. Robson, *Tracts on Listening to Music*, 34, 57 (London 1938), and, if adh-Dhahabī's quotation is accurate, in the *Jāmiʿ* (= *Sunan* ?) of the early Ḥanbalite Abū Bakr al-Athram (d. 261/875 or later, cf. Sezgin, I, 509).

authorities, but it also had consequences in a more mundane ambit of social relations. For instance, when the subordinates of the notorious wazīr of Zuhayr of Almeria, Aḥmad b. ʿAbbād (d. 429/1038), came to him on business, he played chess with them all day and well into the night, forgetting all the business at hand and, even more distressing to his visitors, forgetting to offer them something to eat.[152] This certainly contributed to his unpopularity, but it would seem that nobody suffered any substantial gambling losses. On the contrary, the story suggests once more that there were many occasions where the game was its own reward so much so that no stakes were needed.

Acccording to H. J. R. Murray, "chess (in Europe) was usually played for a stake. Probably there was no game in the Middle Ages in which it was not the ordinary rule to increase the interest by the simple device of attaching a prize to the victory and a penalty to the defeat. If the stake is a less prominent feature of board-games in modern Europe, it is solely due to the fact that in other games we enjoy more opportunities of wagering money than were open to our ancestors."[153] In medieval Islam, we may assume that economic and religious considerations cut deeper into the practice of playing chess for stakes than was the case in the West. The game was probably very widely played without any gambling being involved. Ibn Taymīyah can be believed when he maintained that most *nard* players played for a compensation (*ʿiwaḍ*, the much used legal term for stakes), whereas most chess player did not.[154] However, the comparative frequency with which jurists make reference to chess accompanied by *qimār* as contrasted with chess without it suggests that the custom was certainly not an unusual one. The number of anecdotes of chess played for stakes is quite large. It should, however, be kept in mind that chess was the most prominent and most commonly mentioned of all games. Thus, the number of anecdotes preserved in connection with it would naturally be larger than in other gambling games.

6. *Nard (Backgammon, Trictrac)*

Nard was the gambling game par excellence in Islam. It meant

[152] Cf. Ibn Bassām, *Dhakhīrah*, I, ii, 177. A person may be so engrossed in a game of chess that he forgets to eat, cf. al-Ghazzālī, *Iḥyāʾ*, IV, 265.

[153] Cf. Murray, *A History of Chess*, 474 f.

[154] Cf. Ibn Taymīyah, *Fatāwī*, IV, 308 (Cairo, n. y. [1384-1386/1965-1966]).

the movement of round pieces[155] according to the outcome of the throws of a pair of dice.[156] However, it was occasionally acknowledged to leave some room for skill, as, indeed, it does.[157]

The game was known under a variety of designations, such as *nardashīr*, the *nēw(vīn)*(?) *Ardashīr* of the Pahlavi tests,[158] *ki'āb* "dice," and *'rn ('rz, 'rq)*, a word, it seems, not yet explained.[159] *Kūbah*, whose alleged meanings include that of *ṭabl* "drum," is also said to mean *nard*.[160] In his work on the Qur'ān, al-Qurṭubī, remarkably enough, seems to have applied to *nard* the name of *aṭ-ṭabl* (corresponding to *tabula, tables*).[161] That its low-class devotees also gave it a *kunyah* from time to time, something like *Abū l-j-l-b*,[162] need not greatly surprise us. Simple references to *qimār* in general and to dice may also aim at *nard*.[163]

Elsewhere in the *Fatāwī*, II, 14, speaking generally of games *(malā'ib)*, Ibn Taymīyah says that they are customarily played for stakes *('iwaḍ)*.

155 *Kilāb mudawwarat al-kharṭ*, cf. al-Bīrūnī, *al-Jamāhir (fī ma'rifat al-jawāhir)*, 186 (Hyderabad 1355). *Mahārik*, from Persian *muhraq, muhrah*, was also used for the *nard* pieces, cf. aṣ-Ṣafadī, *Ghayth*, II, 52; al-Qalqashandī, *Ṣubḥ*, II, 141; Hyde, II, 21.

156 For a description of the way *nard* was played in modern Persia, cf. H. J. R. Murray, *(A History of) Board-Games (other than Chess)*, 113 f. (Oxford 1952).

157 See below, p. 169. The famous E. Hoyle who wrote on backgammon in the eighteenth century (*A Short Treatise on the Game of Back-gammon*, London 1743) gives charts of odds for the dice and devotes much of his little manual to rules showing what to do and what not to do in order to have a better chance of winning. For the present-day game, cf. the pleasantly illustrated book by O. Jacoby and J. R. Crawford (New York 1970), one of the many books on backgammon being published at the present time.

158 Cf. Wieber, *Schachspiel*, 98 f.

159 Cf. al-Qurṭubī, *Jāmi'*, VIII, 338, on *sūrah* 10:32/33; az-Zarqūnī, Commentary on Mālik's *Muwaṭṭa'*, IV, 356 (Cairo 1355/1936).

160 Cf. al-Bukhārī, *al-Adab al-mufrad*, ed. M. F. 'Abd-al-Bāqī, 326 (Cairo 1375), where *kūbah* = *nard* is described as forbidden like eating pork or using the blood of pigs for ablutions (see below, Ch. III, n. 89). See further *Lisān*, II, 225 (in Yemenite usage); *Wörterbuch der klassischen arabischen Sprache*, letter *K*, 420 f. (Wiesbaden 1970); *Concordance*, VI, 71b50-55, VII, 369b40-43; Ibn Abī d-dunyā, *Dhamm*, 31, 53 f.; Ibn al-Athīr, *Nihāyah*, IV, 39; Hyde, II, 12. Ibn Abī d-dunyā mentions that *qinnīn*, used in the same tradition as *kūbah*, was, according to some authorities, also a gambling game.

161 The text of al-Qurṭubī, *Jāmi'*, VIII, 338, has *al-bāṭil* ("worthless frivolity," used descriptively for *nard* on the basis of Qur'ān and *ḥadīth*), but the reading of the manuscripts as indicated in the notes is *aṭ-ṭabl*.

162 Cf. al-Azdī, *Ḥikāyat Abī l-Qāsim*, ed. A. Mez, 93 and LXI (Heidelberg 1902).

163 See above, p. 35. According to E. W. Lane, *An Account of the Manners and Customs of the Modern Egyptians*, 3rd ed., 55 (London 1842), the game distinctively called *leab el-ḳumár* in nineteenth-century Egypt was cards.

Nard could be played with chips, called "nuts" (*jawzāt*), which no doubt represented some monetary value. This we learn from the story of a thieves' trick which obviously refers to *nard*.[164] It seems that at some point of the game, presumably at the end, the (winning) player would exclaim, "I am finished" (*tamāmī*), according to a couplet of Sayf-ad-dīn al-Mushidd:

> I played with a slender, willowy
> Youth with a supple figure.
>
> He said, "I am finished." I said: "Sure!
> How beautiful is the moon when it is finished/full!"[165]

The origin of *nard* as it was played in the Muslim world was Persian. This is shown by the Persian terms used in connection with it[166] and by the fact that it is always closely associated with (the Persian game of) chess, with which it has no typological similarity whatever. In the literature, it appears as a sort of appendix to chess and is practically always mentioned where chess is mentioned. Since there is so much less to be said about it than there is about chess, it gets short shrift, even where one might think that it would receive some greater consideration. In the titles of books, *nard* is rarely mentioned alone. The old theoretician of chess, al-ʿAdlī, is credited also with a special title on *nard*.[167] The great ar-Rāzī wrote "On the Wisdom of *Nard*."[168] "The poem rhyming in *sīn* describing *nard*" by a certain Abū ʿAbdallāh Muḥammad b. Aḥmad al-Khayyāṭ, who lived in the first half of the fourteenth century, may, or may not, have been a work on the theory of the game.[169] Later in the fourteenth century, Ibn Zuqqāʿah (745-816/1344-1408) wrote "The Rosebush on the Knowledge of *Nard*" (*Dawḥat al-ward fī maʿrifat*

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[164] See below, pp. 153 f.

[165] Cf. Sayf-ad-dīn al-Mushidd, *Dīwān*, fol. 125a:

> *laʿibtu bi-n-nardi maʿ rashīqin*
> *muhafhafin layyini l-qawāmi*
> *qāla tamāmī fa-qultu ṣabran*
> *mā aḥsana l-badra fī t-tamāmi.*

A more specific use of *tamāmī* in *nard* is mentioned by Hyde, II, 42; it probably is not applicable here.

[166] See above, n. 81, and below, Ch. V, nn. 27, 49, as well as the anecdote reported in *Aghānī*, XVII, 103, from Ibn Abī Ṭāhir Ṭayfūr and translated in F. Rosenthal, *Humor*, 98 f. See further below, p. 88.

[167] Cf. Ibn an-Nadīm, *Fihrist*, ed. G. Flügel, 155 (Leipzig 1871-1872).

[168] Cf. al-Bīrūnī, *Risālah*, ed. P. Kraus, 21 (Paris 1936). See below, Ch. VI, n. 23.

[169] Cf. aṣ-Ṣafadī, *Ghayth*, II, 52, mentioned by Hyde.

an-nard).[170] None of these works appears to have been preserved. In the case of Ibn Zuqqāʿah, it might be suspected that perhaps chess was in fact mentioned in the title before *nard*.

The game could, of course, also be enjoyed without accompanying gambling. The jurists at least would consider this possibility, although the game still remained illegal in their view.[171] But clearly, in the numerous references to people playing, or being devoted to, *nard*, it is understood that some kind of gambling was involved, whether or not it is expressly mentioned. We have no way of knowing whether there existed many, or how large a percentage of, *nard* players who played without any stakes whatever.

7. *Fourteen*

No later than the early ninth century, we find this board-game mentioned as *shahārdah* or *arbaʿata ʿashara*, both meaning "fourteen" respectively in Persian and in Arabic.[172] Ibn Saʿd already tells us that the pious Ibn ʿUmar, the son of the caliph ʿUmar b. al-Khaṭṭāb, used to smash *fourteen* boards, as he did *nard* boards, or hit the players over the head with them.[173] Among the seven anti-*fourteen* statements in Ibn Abī Shaybah's *Muṣannaf*, one speaks of children who were fasting and diverting themselves with a game of *fourteen*, when ʿAlī came and bought them walnuts for a dirham, so that they could amuse themselves with the walnuts and stop playing *fourteen*.[174] Apparently, the walnut game was considered less harmful than *fourteen*, probably, because in the former, no other stake than the walnuts themselves was involved.

Fourteen was identified with *manqalah* "mancala," which is first attested in the *Kitāb al-Aghānī*. The source of *Aghānī* was a work

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[170] Cf. as-Sakhāwī, *aḍ-Ḍawʾ (al-lāmiʿ li-ahl al-qarn at-tāsiʿ)*, I, 131, l. 2 (Cairo 1353-1355).

[171] See below, Ch. III, n. 84.

[172] Cf. Ibn Abī Shaybah, *Muṣannaf*, Ms. Istanbul Nuru Osmaniye 1219, fol. 72a; F. Rosenthal, *Knowledge Triumphant*, 75 (Leiden 1970). Al-Qurṭubī, *Jāmiʿ*, VIII, 338, quotes Abū Ḥanīfah as referring to the game, but this must be understood as usual to mean the Ḥanafite school.

[173] Cf. Ibn Saʿd, *Ṭabaqāt*, ed. E. Sachau and others, IV, i, 114, l. 16, and 120, l. 27 (Leiden 1905-1940). Al-Ḥalīmī, *Minhāj*, Mss. Istanbul Topkapısarayı Ahmet III 930, fol. 151a, and Ahmet III 500, Vol. III, fol. 39a, uses the spelling *jahārdah* in this context. For Ibn ʿUmar beating *nard* players and breaking the board, cf. also Mālik, *Muwaṭṭaʾ*, IV, 356 (Cairo 1355/1936); al-Bukhārī, *al-Adab al-mufrad*, 327. For Abū Hurayrah allegedly playing *fourteen*, cf. az-Zamakhsharī, *Rabīʿ*, fol. 87b.

[174] Cf. Ibn Abī Shaybah, *Muṣannaf*, fol. 72a.

by az-Zubayr b. Bakkār (d. 256/870), reporting an event that had taken place in Umayyad times in a circle of poets. The report contained the statement that "the *qwq* are even," and this statement is glossed as referring to a game like *manqalah*.[175] The unexplained *qwq* (which must be a feminine or plural, thus ruling out a correction to *qirq*) may perhaps be read *fuwaq* "notched arrows," which could indeed correspond in their function to the boards with holes employed in the game of *fourteen*.[175a] It is not clear whether the gloss referring to *manqalah* goes back to the original report of az-Zubayr b. Bakkār or was an addition, perhaps, by the author of *Aghānī*.

Fourteen was further identified with *ḥizzah*, mentioned in ash-Shāfiʿī's *Kitāb al-Umm*, in the passage fundamental for the Shāfiʿite attitude toward gambling. *Ḥizzah* is explained there as "a piece of wood in which there are holes for playing."[176]

Ibn Ḥajar al-Haytamī, referring to the Shāfiʿī passage, has this to say: "*Ḥizzah* is a piece of wood in which there are three rows of holes into which small pebbles are put for playing.[177] It may also be called *fourteen*. In Egypt, it is called *manqalah*. In the *Taqrīb* of Sulaym, it is explained as a board in which there are twenty-eight holes, fourteen on one side, and fourteen on the other, for playing."[178] In fact, all such descriptions are likely to refer to games similar in principle and played according to different rules.

The connection of *fourteen* with gambling is attested only perfunctorily in the references of legal and religious scholars to it.

8. *Aṭ-Ṭāb wa-d-Dukk*

Ibn Ḥajar al-Haytamī refers to *aṭ-ṭāb wa-d-dukk* in these words: "Forbidden is the game called by the common people *aṭ-ṭāb wa-d-dukk*, for it depends on what is brought out by the four rods

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[175] Cf. *Aghānī*, XI, 19 (*Aghānī*[3], XII, 116); Murray, *Board-Games*, 165 ff. *Manqalah* occurs in the *Arabian Nights*, ed. Macnaghten, I, 109, trans. Littmann, I, 171 (15th night).

[175a] Or is *quwaq* to be connected with *uwaq* (below, n. 251)?

[176] Cf. ash-Shāfiʿī, *Kitāb al-Umm*, VI, 213, see above, n. 3, and below, Ch. III, n. 99.

[177] Murray, *Board-Games*, 205, quotes this explanation from the work on chess and *nard* by al-Qābūnī (784-869/1382-1465, cf. [C.] Brockelmann, *GAL* [*Geschichte der arabischen Litteratur*] II, 97, *Suppl.*, II, 115, Weimar-Berlin and Leiden 1898-1949).

[178] Cf. Ibn Ḥajar al-Haytamī, *Zawājir*, II, 191. The author of the *Taqrīb*, the Shāfiʿite Sulaym b. Ayyūb ar-Rāzī, died in 447/1055, cf. Ibn Khallikān, *(Wafayāt al-aʿyān,)* ed. Iḥsān ʿAbbās, II, 397-399 (Beirut, n. y. [1972]).

(*qaṣabāt*).[179] There is some possible reservation (as to its being forbidden), if it is free from gambling and foolishness, but it leads to them. Something like it has been mentioned in the *Khādim*. He said. And comparable to it is the *kanjifah*."[180]

Apparently the oldest preserved reference to it is to be found in a long poem by Ibn Dāniyāl (d. 710/1310):

And I fell in love with the boys, then reverted
To being young, till I went back to grade school.
Every fawn intoxicates and thus kills his lover,
When he gives him the wine of spittle to drink.
I studied cheating, till I
Became the imām of dice *(kiʿāb)* playing.[181]
Then I gambled among them with date pits[182]
And with *ad-dukk* at times and *aṭ-ṭāb*.
I played pigeons among them. How (often)
Did I thereby hunt every swift[183] bird![184]

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[179] For a description of the game and the role of the "rods" in it, cf. Murray, *Board-Games*, 95 f., who based himself upon Hyde, II, 217-223, and Lane. Cf. also the references in R. Dozy, *Supplément (aux dictionnaires arabes)*, II, 65a (Leiden 1881, reprint Paris and Leiden 1927). Dozy cites a passage referring to *aṭ-ṭāb* from the *Arabian Nights*, XI, 390, of the Breslau edition of M. Habicht (Breslau 1825-1843), which is not contained in Macnaghten's edition, trans. Littmann, IV, 822. Littmann inexactly has trictrac. What, if any, connection the references to *d-k-k* in Dozy, *Supplément*, I, 453b, may have with the game is not clear to me.

[180] Cf. Ibn Ḥajar al-Haytamī, *Zawājir*, II, 191. The *Khādim* appears to be a work by az-Zarkashī, entitled *Khādim ar-Rāfiʿī wa-r-Rawḍah* (Brockelmann, *GAL*, *Suppl.*, I, 753). The comparison with *kanjifah* (see below, p. 63) was, it seems, added by Ibn Ḥajar al-Haytamī and refers to the legal situation, and not to the four suits of playing cards.

[181] The meter is not in order (a long first syllable in *imām* is required), but the meaning is clear. For "cheating" *(ḥirāf)*, see Dozy, *Supplément*, I, 272a.

[182] Al-Badrī, *Ghurrah*, between fols. 128b-129b, quotes verses on playing with *nawā* (not available to me), which may refer to the same game. It is also mentioned in the verses below, Ch. IV, n. 59.

[183] For *qallāb*, the precise meaning of which remains to be established, cf. Dozy, *Supplément*, II, 390 f. Note also the unusual accusative after *laʿiba*. The successful hunting refers to the lovers he captured.

[184] Cf. Ibn Dāniyāl, *Dīwān*, Ms. Istanbul Aya Sofya 4880, fol. 159a (meter *khafīf*):

wa-ʿashiqtu ṣ-ṣibyāna thumma taṣāghar-
tu ilā an rajaʿtu li-l-kuttābi
kullu ẓabyin yumītu ʿāshiqahū suk-
ran idhā mā saqāhu khamra r-ruḍābi
wa-tafaqqahtu fī l-ḥirāfi ilā an
ṣirtu imāma <l-> liʿbi bi-l-kiʿābi (?)
thumma qāmartu baynahum bi-nawā t-tam-
ri wa-bi-d-dukki tāratan wa-bi-ṭ-ṭābi
wa-laʿibtu l-ḥamāma fīhim fa-kam ṣid-
tu bihī kulla ṭāʾirin qallābi.

9. *Qirq (Merels, Spanish Alquerque, French Marelles, German Mühle)*

Qirq is mentioned in the cited passage from the *Kitāb al-Umm*. Ibn Ḥajar al-Haytamī explains that the word is to be vocalized *qirq* and then cites ar-Rāfiʿī from an autograph copy of Judge ar-Rūyānī (d. 502/1108) for this vocalization and for its being called "chess of the Maghribites": "A square is drawn on the ground with two lines in the form of a cross in the midst of it. On top of the lines, small pebbles are placed to play with."[185]

The occasional identification by lexicographers of *qirq* with *ṭuban* is probably not justified. However, it gave rise to a fuller description of one of the types of board used for the game, accompanied by a drawing.[186] Incidentally, the name "mill" (if this is the applicable meaning of *raḥā*) is applied to *ṭuban* in *Lisān*, XVII, 133.

While *qirq* is probably more often mentioned in the sources than *fourteen* (and has remained a favorite game to the present time), our knowledge of any gambling activities connected with it is not better in the one case than in the other.

10. *Horse Racing*

Camels were often raced, and it seems occasionally also other large animals, since the legal authorities consider the attitude to be taken toward the racing of elephants, mules, and donkeys.[187] However, horse racing was by far the most important and best organized activity of this kind. Contrary to the *ḥadīth* of the Prophet which permitted competitions with camels, horses, and arrows (*khuff, ḥāfir, naṣl*), some people even contended that racing for stakes was

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185 Cf. Ibn Ḥajar al-Haytamī, *Zawājir*, II, 191. For an *Aghānī* passage on *qirq*, see below, Ch. V, n. 35. For a discussion of the game, cf. Murray, *Board-Games*, 37 ff.

186 Cf. al-Fīrūzābādī, *Qāmūs*, III, 271 (Būlāq 1303); Murtaḍā az-Zabīdī, *Tāj (al-ʿarūs)*, VII, 57 (Būlāq 1307); trans. Lane, 1829b. Murray, *Board-Games*, 47, following Hyde, II, 206 ff., refers to the identification of *qirq* with *suddar/ṭuban* and mentions various local designations such as *drīs* (from Idrīs), Turkish *dokuztaş*.

187 Cf., for instance, al-ʿImrānī (d. 558/1163, cf. Brockelmann, *GAL, Suppl.*, I, 675), *al-Bayān (fī l-furūʿ)*, Ms. Brit. Mus. or. 3739, fol. 78a, chapter on *as-sabq wa-r-ramy*; ar-Rāfiʿī, *Muḥarrar*, Ms. Brit. Mus. or. 4285, fol. 111a. The tenth-century Abū l-Layth as-Samarqandī, *Qurrat al-ʿuyūn*, 41 (Cairo 1358/1939, in the margin of ash-Shaʿrānī, *Mukhtaṣar Tadhkirat al-Qurṭubī*), chapter on *liwāṭ*, includes donkey racing among activities to be disapproved strongly. Cf., further, Ibn Qayyim al-Jawzīyah, *Furūsīyah*, 8 f., 65, 67, who also mentions bovines (*baqar*); see also below, Ch. IV, n. 43.

permissible *only* for horses, as this was what the Arabs of old were accustomed to;[188] this no doubt was a most exceptional view, which was never followed in practice. *Rihān* was the most common term for stake racing, and it preferably referred to horse racing.[189] While horses were often raced across country, special hippodromes were commonly found in the urban environment. The number of horses competing in a race could vary from two to ten, and, probably rarely, more than ten. The importance of the horse, in particular for military purposes and for hunting, required the most intensive occupation with all aspects of horse breeding and training, of which the conditioning of horses for speed in racing was not the least. The literature produced on the subject of horses was correspondingly large. It was written by experts on the training and handling of horses, by physicians specializing in veterinary medicine, but also by philologians and jurists.[190]

Modern writers on the history of horse racing in the West have come up with statements such as: "This ... is the only undoubted reference to betting on horses (under Henry VIII of England), although the king paid streams of gambling-debts on cards, tennis, dominoes, dice, 'shovilleborde', 'bowles', 'prymero', 'pope Julius game', and 'Imperiall'."[191] And, "it was in the seventeenth century that the stakes race, a race in which the owners of the horses put up monetary stakes, all of which go to the winner, was devised."[192] No matter how valid these statements may be, stake racing was practiced constantly and much earlier in the Muslim world. The stakes were put up by one or more of the participants, or were in the form of prizes donated by non-participants.[193] Considering the large cost and labor that went into the training of race horses, the likely assumption is that practically all racing involved stakes of some sort. This required legal scrutiny as to possible violations of the prohibition of gambling. However, we must not lose sight of the fact that racing was only one aspect of horsemanship. In the books on horses by philologians published G. Levi Della Vida, the concern

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188 Cf. ad-Dimyāṭī, *Faḍl al-khayl*, Ms. Bodleian Marsh 389, fol. 77b.

189 For another word, *ghālaqa*, see *Concordance*, V, 100b29-31, and the dictionaries.

190 Cf. F. Viré, in *E(ncyclopaedia of) I(slam)*², *s. v.* faras.

191 Cf. R. Longrigg, *The History of Horse Racing*, 29 (New York 1972). On p. 271, Longrigg states that the Arabs did little racing!

192 Cf. J. I. Day, in Ploscowe and Lukas (eds.), *Gambling*, 55.

193 See below, p. 97.

with racing is relatively minor; possibly a little more is said explicitly on racing in the work of Ibn al-Aʿrābī than in that of Ibn al-Kalbī.[194] A work such as *La Chasse et les Sports chez les Arabes* by L. Mercier[195] has hardly anything to say on stake racing, and only a very few perfunctory remarks are contained in F. Viré's article on "faras" in the second edition of the *Encyclopaedia of Islam*; however, the article on "furūsiyya" by G. Douillet and D. Ayalon has some information on racing, prizes, and betting. The manuals on the breeding and training of horses often pay no attention to betting problems.

Horse racing was a favorite pastime in pre-Islamic Arabia. The Egyptian religious scholar ʿĪsā b. Lahīʿah (d. 145/December 762-January 763) is already credited with a book entitled *al-Jalāʾib wa-l-ḥalāʾib* in which he mentioned every race (course, *ḥalbah*) where horses were run in pre-Islamic and Islamic times.[196] For obvious reasons, the supposed precedents set by the Prophet and the early Muslims were greatly cherished by all those concerned with horse racing. The distances over which the Prophet had the horses run were mentioned in detail. His horses were either conditioned for racing, or they were not. The term for such conditioning was *iḍmara* or *ḍammara*, and the procedure was carefully described.[197] For the manner in which the Prophet was believed to have handled the prizes, we may quote what ad-Dimyāṭī (613-705/1217-1306) has to say in the fifth chapter of his *Faḍl al-khayl*:

> "Ibn Banīn[198] has mentioned in his book that the Messenger of God raced horses with garments that had come to him from the Yemen as

194 Cf. G. Levi Della Vida, *Les "Livres des chevaux" de Hišām ibn al-Kalbī et Muḥammad ibn al-Aʿrābī* (Leiden 1928, *Publications de la Fondation de Goeje* 8).

195 Published in Paris 1927, cf. pp. 198-200.

196 Cf. al-Masʿūdī, *Murūj (adh-dhahab)*, ed. Barbier de Meynard and Pavet de Courteille, IV, 24 f. (Paris 1861-1877).

197 In addition to the manuals on horses, cf. also, for instance, Ibn Ḥajar, *Fatḥ*, VI, 412.

If two men entered into an agreement that they would condition two horses for a month or a longer or shorter period and then race them *(yatarāhan rajulān ʿalā farasayn ʿalā an yuḍ(am)mirāhumā shahran aw akthar aw aqall)*, the problem came up what was to be done, if at the end of the time stipulated one of them claimed that his horse was not yet ready, cf. ʿAbdallāh b. Maymūn, *al-Ifādah (wa-t-tabṣīr)*, Ms. Istanbul Köprülü I, 1211, fol. 163a (which here has a better text than Ms. Köprülü I, 1213, fol. 171b).

198 Presumably, ʿAbd-al-Ghanī b. Sulaymān b. Banīn (575-661/1181-2-1263), cf. adh-Dhahabī, *ʿIbar*, V, 265 f.; G. Vajda, *Le Dictionnaire des autorités (de ʿAbd al-Muʾmin ad-Dimyāṭī)*, 44 (Paris 1962).

stakes. He gave the winner *(sābiq)*[199] three, the second horse *(muṣallī)* two, the third horse one, the fourth horse one dīnār, the fifth horse one dirham, and the sixth horse a rod *(qaṣabah)*.[200] He said: May God bless you and all of you, the winner *(sābiq)* and the loser *(fiskil)*.

Abū l-Ḥasan Aḥmad b. Yaḥyā b. Jābir al-Balādhurī < Ibn Sa'd < al-Wāqidī < 'Abd-al-Muhaymin b. 'Abbās b. Sahl b. Sa'd < his father ('Abbās) < his grandfather (Sahl), who said: (Once) when the Messenger of God raced horses, I was riding on his horse aẓ-Ẓarib.[201] He gave me a Yemenite cloak. He ('Abd-al-Muhaymin?) said: I have found a piece of it in our house.

He (al-Balādhurī) said: I have been told by Muḥammad b. Sa'd < al-Wāqidī < Sulaymān b. al-Ḥārith < az-Zubayr b. al-Mundhir b. Abī Usayd, who said: Abū Usayd as-Sā'idī raced on the Prophet's horse Lizāz, and he gave him a Yemenite garment...

Al-Khuttalī[202] reports in his book a tradition of Ibn Lahī'ah < Bakr b. 'Amr < Ibrāhīm b. Muslim < Abū 'Alqamah, the client of the Banū Hāshim, (stating) that the Messenger of God had ordered the horses to be raced, and he put up as prizes for them *(sabbaqahā)* three bunches of dates from three palm trees. He gave one bunch to the winner, one to the second horse, and one to the third horse. They were fresh dates."[203]

In these cases, the Prophet was apparently thought of as the only person to put up prizes for jockeys riding his own horses. This avoided the legal difficulties that surrounded contributory stake racing. Prizes could be imagined, or were in reality, very high. Thus, two tribal groups raced their horses for a stake of thirty camels and a slave girl.[204] Often it may have been the loser's very valuable horse that was at stake, as in a race between the Murād and the

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[199] *Sābiq* for the winner and *fiskil* or *sukkayt* for the last horse in a race were words in wide use, but there were altogether ten names for horses in the order in which they came in in a race. They were often discussed in the literature, as, for instance, by ad-Dimyāṭī, *Faḍl al-khayl*; al-'Askarī, *Talkhīṣ*, 564; *Lisān*, XI, 158; ad-Damīrī, *Ḥayawān*, I, 352 (Būlāq 1292); *EI*², II, 953a, *s. v.* furūsiyya, etc.

[200] Here, probably, the sign of the loser, as in the story of ash-Sha'bī who was found playing chess and had a *qaṣabah (qaṣab)* or *rīshah* "feather" stuck in his beard, in order to indicate that he had lost, cf. as-Sakhāwī, *Shiṭranj*, Ms. Brit. Mus. or. 9227, fol. 17b. Wakī', *Akhbār al-quḍāh*, ed. 'A. M. al-Marāghī, II, 414 (Cairo 1366/1947), has only the version speaking of "feather." Cf. also Wieber, *Schachspiel*, 208-210. For *qaṣabah* as the goal post and the rod of victory, see below, pp. 115 f.

[201] On the horses of the Prophet, cf., for instance, Ibn al-A'rābī, ed. Levi Della Vida, *op. cit.* (above, n. 194), 51.

[202] I. e., Ibn Akhī Ḥizām, the author of a famous work on horsemanship, cf. Brockelmann, *GAL*, *Suppl.*, I, 432 f. On his name whose form is doubtful, cf. F. Viré, in *EI*², IV, 215a, *s. v.* iṣṭabl.

[203] Cf. ad-Dimyāṭī, *Faḍl al-khayl*, fols. 84b-85b.

[204] Cf. Ibn al-A'rābī, ed. Levi Della Vida, *op. cit.* (above, n. 194), 78 f.

Yaḥṣub in the first decade of the ninth century.[205] The ideal horse was of course one whose owner, when he entered it in a race, could be sure that it would win the stake for him; no doubt, it existed only in a poet's imagination.[206]

Stake racing could be arranged at the spur of the moment, as is shown by a story reported in the great history of Rashīd-ad-dīn: "One day they were riding on easy-paced horses and Chaghatai, being drunk, said to Ögetei: 'Let us race our horses for a bet.' And having made a bet, they ran a race, and Chaghatai's horse, being a little faster, won by a head.[207] At night in his tent, Chaghatai was reminded of this incident and he reflected: 'How was it possible for me to make a bet with Qa'an and let my horse beat his?' Such conduct was a grave breach of etiquette...,"[208] (and if the participants had been Muslims, such a race would have been very much against the law). But horse racing was no doubt more often an organized activity, and in certain places horse races were held on a regular schedule. It could be stopped by government decree, as happened in Egypt under the governor Yazīd b. 'Abdallāh. There was no horse racing there for about two years from 245/859 to 247/861.[209] But everybody connected with military and aristocratic life was unable and unwilling to do without it. There were rulers who spent "one half of the day in the hippodrome (stadium, *maydān*), and the other half in the office (*dīwān*)."[210] Many other sporting activities took place in the *maydān*, but horse racing was no doubt a regular part of them. Of spectators there was no shortage. Abū l-Faraj al-Iṣfahānī tells of the youth who went to the race track every Tuesday and Friday and who was once late coming to see him because of a race (*rihān*) between two horses belonging to the Būyid 'Izz-ad-dawlah.[211] We do not know whether the youth did not at

[205] Cf. al-Kindī, *Wulāh*, ed. R. Guest, 402 (Leiden and London 1912, *E. J. W. Gibb Memorial Series* 19).

[206] Cf. al-'Imād al-Iṣfahānī, *Kharīdah* (Egyptian poets), ed. A. Amīn, Sh. Ḍayf, and I. 'Abbās, II, 51 (Cairo, n. y. [1951]) (Dāwūd b. Miqdām al-Maḥallī asking for the gift of a horse).

[207] For the rules determining the winner in a race, see below, p. 102.

[208] The translation is that of J. A. Boyle, *The Successors of Genghis Khan*, 147 f. (New York and London 1971). For the danger inherent in defeating one's superior, cf. also below, p. 53.

[209] Cf. al-Kindī, *Wulāh*, 203.

[210] Cf. Ibn Bassām, *Dhakhīrah*, I, i, 190, l. 16.

[211] Cf. Abū l-Faraj al-Iṣfahānī, *Adab al-ghurabā'*, ed. Ṣ. al-Munajjid, 83 (Beirut 1972); Yāqūt, *Irshād*, ed. Margoliouth, V, 160 f., ed. Rifā'ī, XIII, 117 f.

other times do some riding of his own in order to improve his horsemanship, but on that occasion, he was evidently there as a spectator. The story also seems to afford at least a hint at the existence of non-participatory betting on horse races. Most probably, visits to the race track were enlivened by betting on the outcome of a race among the spectators. At present, betting on horse races by non-participants has greatly outstripped the importance of the stakes aspect of them. In pre-modern times, the situation was the reverse, but betting by non-participants was certainly not absent in horse racing as well as other sports.

A rather curious testimony to the role played by betting on horses in Muslim society comes to us from a divinatory practice called *qurʿah* "lot." As an example of the *qurʿah* literature, we may quote the Istanbul Ms. Aya Sofya 1999. It contains two closely related works. One is entitled *al-Qurʿah ad-duwāzdahmarj* "The Twelve-Field Lot." The title is explained by the fact that each chapter has charts with twelve entries, each of which is broken down into another twelve. The other, similarly arranged work is called *al-Qurʿah al-mubārakah al-Maʾmūnīyah* and ascribed to Jamāl-ad dīn (!) Abū Yūsuf Yaʿqūb b. Isḥāq al-Kindī. Consultation of the charts furnished advice with respect to matters such as commerce, travel, wealth, runaway slaves, rain, illness, death, etc. There are no entries on gambling in general, although an interested gambler might have drawn the appropriate conclusions from predictions concerning the easy acquisition of wealth and the like. However, one complete cycle of twelve entries is devoted to indicating which horse, usually described only by color, would win—"with God's permission," as the author of the work often adds in order to be on the safe side. The Kindī *Qurʿah* is slightly more detailed, making such statements as "the horse on which you have bet (*turāhin ʿanhu, murāhinuka* "your entry in the race") will win, especially if it is of (such-and-such a color)," or "your horse will come in before the horse of your companion, and you will take his stake and put it at the disposal (*bi-ḥukm*) of the (spectators) present."[212] All the betting envisaged in these *qurʿah*s was to be done by those who themselves had horses running

[212] Cf. Ms. Istanbul Aya Sofya 1999, fols. 52a-55a and 125b-131a. A *qurʿah* entitled *al-Qurʿah al-mubārakah al-maymūnah* is attributed to Ibn ʿArabī, cf. Brockelmann, *GAL, Suppl.*, I, 801; O. Yahia, *Histoire et classification de l'œuvre d'Ibn ʿArabī*, 424 (Damascus 1964). Whether or not it is identical with the similarly titled *qurʿah* in Ms. Aya Sofya 1999 could not be ascertained in the absence of the text.

in the race. However, the tips given were useful for the spectators, too, if they felt like doing some betting of their own.

11. *Foot Racing*

Al-musābaqah ʿalā l-aqdām, explained by one of the commentators on the Ḥanafite aṭ-Ṭaḥāwī (239-321/853-4-933) somewhat unnecessarily as *al-ʿadw bi-l-arjul*,[213] was considered by jurists as a potential opportunity for gambling.[214]

It is not impossible that *jary as-suʿāh* "the running of couriers", mentioned by al-Maqrīzī and Ibn Taghrībirdī among other sporting and gambling activities, involved, in fact, a foot race.[215]

The term *musājalah*, which survived into Islamic times merely as a dim reminiscence of the past, referred to competitions between water drawers. It could conceivably also have depended on running speed.[216]

12. *Pigeon Racing*

The general term "bird" (*ṭayr*) is frequently used for *ḥamām* "pigeon," and the racing activity was technically called *taṭyīr*.[217] Reference to it is standard in law books. It is mentioned often enough at all times to document the well-known fact that pigeon fancying was very widely practiced and had its fanatical devotees. Playing with birds was quite naturally associated with chess and *nard* as unbecoming pastimes,[218] on the assumption that it was a mere hobby, as no doubt it frequently was. Its practical justification

[213] Cf. Ms. Istanbul Jarullah 718, fol. 35a-b. To judge from the passage on racing and shooting competitions, this manuscript does not represent the commentary on aṭ-Ṭaḥāwī's *Mukhtaṣar* by Abū Bakr al-Jaṣṣāṣ ar-Rāzī (305-370/917-8-980-1) to whom it is assigned in Sezgin, I, 441. Of the commentaries on aṭ-Ṭaḥāwī consulted by me, that of al-Jaṣṣāṣ ar-Rāzī is contained in Ms. Istanbul Topkapısarayı Ahmet III 1076, fols. 203b-204a, and that of the hard-to-identify al-Isbījābī in Mss. Istanbul Damat Ibrahim 562, fol. 180b, Shehid Ali 816, fol. 146b, and Jarullah 683, fol. 272a-b. The edition Cairo 1370 of the original *Mukhtaṣar* was not available; manuscripts consulted were Jarullah 876 and Feyzullah 949. Al-Isbījābī speaks of *al-mashy bi-l-aqdām*.

[214] See below, p. 106.

[215] Cf. al-Maqrīzī, *as-Sulūk (li-maʿrifat duwal al-mulūk)*, II, iii, 695, 697, *anno* 746/1346 (Cairo 1958); Ibn Taghrībirdī, *an-Nujūm (az-zāhirah fī mulūk Miṣr wa-l-Qāhirah)*, X, 168 (reprint Cairo, n. y. [ca. 1967]).

[216] Cf. Lane, 1311a; ash-Sharīshī, *Sharḥ al-Maqāmāt*, I, 312.

[217] On the subject in general, cf. F. Viré, in *EI*², *s. v.* ḥamām.

[218] Cf., for instance, al-Ghazzālī, *Iḥyāʾ*, III, 86, 147.

was the breeding and training of carrier pigeons, a most important means of quick communication in peace and in war.[219]

Al-Bukhārī reports a story going back to Abū Hurayrah. Someone consulted him about racing pigeons, saying: "We want to wager on two pigeons (*natarāhan bi-l-ḥamāmayn*), but we do not want to use a *muḥallil* for fear that he might take away (the prize)." Abū Hurayrah said that this was what children did, and they should be prepared not to do it. It is interesting to see the device of the *muḥallil*, which played such an important role in horse racing, appear in connection with the racing of pigeons.[220]

Ibn Qillis, the wazīr of the Fāṭimid caliph al-'Azīz, happened to enter one of his pigeons in a race in competition with the birds of the caliph, and he won. This displeased the caliph greatly, and the enemies of Ibn Qillis used the event, in order to insinuate to the caliph that it was not an isolated occurrence but that Ibn Qillis was always reserving what was best for himself and letting the caliph have what was inferior. Ibn Qillis assuaged the caliph's wrath by verses to the effect that the caliph's bird was really and naturally the winner; it was just preceded by a chamberlain (Ibn Qillis's pigeon) in his service.[221] There is another, anonymous version of the story. It speaks of a "governor" (*wālī*) of Egypt, competing with a "servant" who wins. The governor inquires with the "wazīr" about the result of the race. The wazīr does not want to be the bearer of bad news. He does not know how to present the matter to the governor. Eventually, a "secretary" suggests the clever verses.[222] No doubt, an existing story was looking for an attribution which at one time happened to fall on Ibn Qillis and the Fāṭimid caliph.[223] Thus, no historicity of any sort attaches to it. As usual, the story does not mention any gambling. It may have been unwise for anyone in a dependent position to expect that he would be able to

[219] See below, p. 107. The article on carrier pigeons by O. Spies, in the *Festschrift* for W. Eilers, 391-399 (Wiesbaden 1967), has nothing on racing.

[220] Cf. al-Bukhārī, *al-Adab al-mufrad*, 325. For the *muḥallil*, see below, pp. 102 ff.

[221] Cf. al-Ghuzūlī, *Maṭāli'*, II, 260, who quotes a *Rawḍ al-adhhān*, possibly the work of the grammarian Ibn Mālik al-Jayyānī (d. 686/1287, cf. Brockelmann, *GAL*, I, 300, *Suppl.*, I, 527), of which a manuscript is preserved in Leiden. Incidentally, Ibn Mālik was known for his devotion to "play" and for keeping (improper) company.

[222] Cf. Ibn al-Jawzī, *Akhbār aẓ-ẓurrāf*, 38 f. (Damascus 1347).

[223] It is conceivable but not very likely that Ibn al-Jawzī was aware of the attribution of the story to the Fāṭimid caliph and suppressed it because of political considerations.

take away a prize from a man of great power, but it is hard to believe that such a race did not have prizes attached to it.

Three centuries after al-'Azīz, a son of al-Malik an-Nāṣir Muḥammad b. Qalā'ūn, named al-Malik al-Muẓaffar Ḥājjī, reigned briefly over Egypt.[224] He was fond of "amusement" (*lahw*), which in his case clearly meant all kinds of sports. He played ball (presumably, polo) in one *maydān* on Sundays and Tuesdays, and went to another *maydān* on Saturdays. He played the stick game[225] and went wrestling wearing only the leather trunks (*tubbān*) of wrestlers. He encouraged gambling (*qimār*) and all kinds of gambling sports. He associated with pigeon racers (*muṭayyirū al-ḥamām*), betting (*yurāhin*) now on this (male) bird, now on that (female) bird. He also distributed large sums in gold and pearls among the pigeon players (*lu"āb al-ḥamām*). This, in particular, angered his amīrs. When they informed him about the danger to his regime resulting from it, he flew into a rage and had all his pigeons slaughtered one by one, as a warning example of what might happen to the amīrs. Al-Malik al-Muẓaffar was killed after only a little over thirteen months in power (747-748/September 1346-December 1347). His contemporary, aṣ-Ṣafadī, was moved to compose these verses:

> You intelligent people, think about the strong al-Malik al-Muẓaffar!
> How much wrong and injustice did he commit, till the pigeon *(ḥamām)*
> play became the seriousness of death *(ḥimām)*![226]

Again, we are not in a position to say how great a part the gambling aspect played in pigeon racing. The sport was not quite as expensive as horse racing, but it could also require a considerable investment, depending on the quality of the pigeons bred. It was said that those who played with pigeons would die poor,[227] pre-

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[224] Al-Malik an-Nāṣir Muḥammad b. Qalā'ūn gave very large sums of prize money for horse races. This is reported in a manuscript now in Princeton and once owned by al-Malik an-Nāṣir Ḥasan (d. 755/1354), a brother of al-Malik al-Muẓaffar, cf. al-Ḥusayn b. Muḥammad al-Ḥusaynī (wrote in 729/1329, cf. Brockelmann, *GAL*[2], II, 168), *Idrāk as-sūl fī musābaqat al-khuyūl*, Ms. Princeton 12G (Cat. 1066), fol. 5b.

[225] See below, p. 59.

[226] Cf. Ibn Taghrībirdī, *Nujūm*, X, 164, 168 ff., 173. On al-Malik al-Muẓaffar's wrestling and the killing of the pigeons, cf. also al-Maqrīzī, *Sulūk*, II, iii, 729, 740; differently Ibn Ḥajar, *ad-Durar (al-kāminah fī a'yān al-mi'ah ath-thāminah)*, II, 4 (Hyderabad 1348-1350).

For the legend of a slaughtered pigeon as the reason for the alleged betrayal of al-Musta'ṣim by the wazīr Ibn al-'Alqamī, cf. *Sīrat Baybars*, I, 4 f. (Cairo 1326-1327/1908-1909).

[227] Cf. Ibn Abī d-dunyā, *Dhamm*, 37, 59; ad-Damīrī, *Ḥayawān*, I, 293.

sumably, because they would spend all they possessed on their hobby and neglect their work. Thus, pigeon racing obviously had largely to rely upon the availability of prize money. Al-Malik al-Muẓaffar does not seem to have gambled only on his own pigeons. Thus, his brief history provides us with some possible evidence of gambling by spectators. This may have been considerable, even though it can be assumed that most of the gambling was again done by people engaged in the sport with their own birds.

13. *Boat Racing*

Boat racing was viewed by jurists as a potential gambling activity.[228] It has been reported that in the year 668/1270, al-Malik as-Saʿīd watched from his boat "the *shawānī* playing in the Nile of Egypt."[229] Those ships apparently participated in naval maneuvers, which may have included some speed contest. However this may have been, it would seem that a good deal of racing with boats took place on large rivers. It must have exercised a great attraction on participants and spectators alike. It may be recalled that in poetry, ships on the high sea were compared to horses engaged in a race, as, for instance, in these verses by Ibn Sanā'-al-mulk:

> As if the sea were a hippodrome and the ships
> Riding on it representing horses,
>
> Pressing closely upon each other but never
> Tiring or bathed in sweat.[230]

14. *Polo*

Polo (*ṣawlajān*) was another opportunity for gambling according to the jurists. However, polo was considered primarily as a healthful physical exercise. It was described as such by Miskawayh and at-Tawḥīdī in their discussion of independent legal judgment as applicable to all conventional law dealing with matters that may change in accordance with time, custom, and public interest. In all these cases, it is not surprising that the legal classifications differ among the various authorities. "The exercise in polo and in hitting the ball has health as its sole purpose. After the training is accomplished and health obtained through it, it does no harm nor does

[228] See below, p. 107.

[229] Cf. al-Yūnīnī, *Dhayl*, II, 432.

[230] Cf. Ibn Sanā'-al-mulk, *Dīwān*, ed. Naṣr and Naṣṣār, II, 572, from an-Nawājī.

it matter whether we hit or miss the ball," something that, according to the authors, was a matter of legal concern.[231] If their attitude had carried the day, much of the legal discussion of games, which will be the subject of the following chapter, would have been superfluous, even though the jurists would not have excused any possible gambling aspects connected with them, at least not officially.

Al-Jāḥiẓ's *Book on Polo Players (Kitāb aṣ-Ṣawālijah)* is said to be preserved in a Moroccan library.[232] It might possibly tell us something about gambling activities connected with polo.

15. *Wrestling and Weight Lifting*

Wrestling (*muṣāraʿah*) was no doubt greatly dependent on prize money and is also quite likely to have given rise to much betting by spectators, although any concrete evidence to this effect appears to be lacking.[233]

Weight lifting (*shayl/rafʿ al-athqāl/al-aḥjār*) was occasionally mentioned by the jurists.[233a]

A sport called *ʿilāj* was considered analogous to wrestling and mentioned next to it. It is listed with the meaning of "fencing" in Dozy's *Supplément*. I do not know whether Dozy's doubts as to the correctness of this meaning have since been dispelled.[233b]

16. *Swimming*

Swimming (*sibāḥah*) competitions were listed as opportunities for gambling. It is well known that Islamic culture took a favorable attitude toward swimming, so much so that the famous tradition

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[231] Cf. Miskawayh and at-Tawḥīdī, *al-Hawāmil (wa-sh-shawāmil)*, ed. A. Amīn and as-Sayyid A. Ṣaqr, 330-332 (Cairo 1370/1951).

[232] Cf. M. Mursī al-Khūlī's introduction to his edition of al-Jāḥiẓ, *al-Burṣān (wa-l-ʿurjān)*, p. *d* (Cairo and Beirut 1392/1972) Cf. below, p. 160.

[233] Various wrestling terms, such as *wahm, musābaqah, munāzalah, akhdh ar-rijlayn, ʿaḍḍ al-fakhdh, ʿirāk, shibāk*, are mentioned in the *Arabian Nights*, ed. Macnaghten, I, 365, trans. Littmann, I, 519 (47th night). For *shibāk* 'entangling, netting (?),' see below, n. 244. Ibn Qayyim al-Jawzīyah, *Furūsīyah*, 67, mentions *shibāk* next to wrestling, but elsewhere (pp. 8, 65), he also discusses *al-mushābakah bi-l-aydī*, probably the familiar arm wrestling. For another wrestling term, *shaghzabīyah*, see Lane, 1566b-c, 2113b.

An article by M. Canard, *La Lutte chez les Arabes*, published in *Cinquantenaire de la Faculté des Lettres d'Alger*, was not available.

[233a] Cf. Ibn Qayyim al-Jawzīyah, *Furūsīyah*, 8, 61, 65, and below, p. 107.

[233b] Cf. Ibn Qayyim al-Jawzīyah, *Furūsīyah*, 8, 65 f.; Dozy, *Supplément*, II, 159b.

about the three permissible kinds of play (above, n. 76) was sometimes expanded to include swimming.[234]

17. *Standing on One Foot*

Al-wuqūf ʿalā rijl wāḥidah is mentioned by the jurists but not explained any further.

18. *Animal Fighting Games*

Cock fighting (*munāqarat ad-duyūk, al-munāqarah bayn ad-duyūk*)[235] was probably much more prevalent than the small number of references to it in the sources would indicate. We are told that when the caliph ʿUmar learned about two men gambling at a cock fight ("two cocks," *iqtamarā ʿalā dīkayn*), he ordered the cocks (pl. *dīkah*) to be killed but was dissuaded from doing so by one of the Anṣār who asked him whether he would kill a slave girl praising the Lord, apparently referring to the well-known praise and approval of the cock's crowing.[236] Cock fighting appears to have been passed over in the technical legal literature. However, this does not mean that it was insignificant and that gambling in connection with it was unusual. We may mention that cock fighting became extremely popular in Muslim Indonesia as an art (if this word can be applied to such a fiendish perversion of the human mind) and as an outlet for heavy gambling.[237]

In the intentionally negative or ironical picture of the activities of aristocratic young men (*fityān*) drawn by al-Jāḥiẓ in his *Kitāb al-Bayān*, we hear about "two cocks in competition" (*dīkān fī*

[234] Cf. al-Qarrāb, *Faḍāʾil ar-ramy fī sabīl Allāh*, ed. trans. Fazlu Rahman Baqi, in *Islamic Culture*, XXXIV (1960), 201 (210), 203 (212); Ibn Qayyim al-Jawzīyah, *Furūsīyah*, 93.

[235] Cf. Abū l-Layth as-Samarqandī, *loc. cit.* (above, n. 187), in a tradition ascribed to the Prophet, and Ibn Abī Ṭāhir Ṭayfūr, *Kitāb Baghdād*, ed. trans. H. Keller, text 44, trans. 43 (Leipzig 1908), ed. M. Z. al-Kawtharī and ʿIzzat al-ʿAṭṭār al-Ḥusaynī, 55 (Cairo 1368/1949), see below, Ch. V, n. 60. Both passages were utilized by Mez, *Renaissance*, 383. The Prophet warned elsewhere against *taḥrīsh* of animals, cf. *Concordance*, I, 446b64-66; at-Tirmidhī, in Ibn al-ʿArabī, *ʿĀriḍat al-aḥwadhī*, VII, 202 f. (with no comment by Ibn al-ʿArabī); Ibn al-Athīr, *Nihāyah*, I, 250; *Lisān*, VIII, 167 (where camels are also mentioned in this connection), etc. Cf. also G. Wiet, *Fêtes et jeux au Caire*, in *Annales Islamologiques*, VIII (1969), 99-128. Wiet refers to the passage from Ibn Taghrībirdī (above, n. 226).

[236] Cf. al-Bukhārī, *al-Adab al-mufrad*, 325. See also L. Kopf, in *EI*², *s. v.* dīk.

[237] Cf. C. Geertz, *Deep Play : Notes on the Balinese Cockfight*, in *Daedalus*, CI (1972), 1-37.

khiṭār).[238] *Khiṭār* clearly emphasizes the gambling aspect.

Ram fighting (*munāṭaḥah bayn al-kibāsh, niṭāḥ al-kibāsh*),[239] while probably less common than cock fighting, appears to have been next in importance to it. It is occasionally mentioned in connection with it, as in Abū l-Layth as-Samarqandī and Ibn Taghrībirdī. A long poem on the subject of the various sciences and crafts includes a couple of verses on *al-liʿb bi-l-kabsh wa-d-dīk*.[240]

Bull fighting is mentioned together with ram fighting for the year 917/1511 in Egypt.[241]

Dog fighting (*muḥārashah bayn al-kilāb*) is also referred to by Abū l-Layth as-Samarqandī. Dogs are mentioned together with cocks and rams as the animals to which the Prophet's prohibition of *taḥrīsh* applied.[242] A son of Judge Shurayḥ in the late seventh century missed school, and even omitted to pray, for dog fights.[242a]

19. *Human Fighting Games*

Children's games of fighting with imitation weapons were common, as they had been since times immemorial. Playful competitions with real weapons also occurred and were not left unmentioned by the jurists. Sword play (*muthāqafah*) has already been mentioned.[243]

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[238] Cf. al-Jāḥiẓ, *Bayān*, ed. ʿAbd-as-Salām M. Hārūn, III, 220 (Cairo 1367-1369/1948-1950). See also below, Ch. V, n. 82.

[239] See also below, Ch. III, n. 160.

[240] Cf. Ms. Brit. Mus. 1080 (add. 19,535), fol. 38b:

wa-bi-l-kabshi wa-bi-l-adyā-
ki nāṭaḥtu wa-nāqartu
wa-kam qad juztu baynahumā (read *baynahā*)
wa-li-l-ghālibi ʿaṭṭaltu.

The proverb, "In a fight (*niṭāḥ*), the hornless ram is defeated," is unlikely to envisage a staged fight, cf. *Kitāb al-Amthāl*, 74 (Hyderabad 1351).

[241] Cf. Ibn Iyās, *Badāʾiʿ az-zuhūr*, ed. P. Kahle and M. Mustafa, IV, 22 (Leipzig and Istanbul 1931, *Bibliotheca Islamica* 5d). G. Wiet (above, n. 235) has called attention to this passage.

[242] Cf. Ms. Dublin Chester Beatty 4759, fol. 23b; al-Ḥalīmī, *Minhāj* (below, Ch. III, n. 70).

A. Wykes, *Gambling*, 87, 90 (London 1964), refers, from modern times, to such matters as scorpion fights in the desert and reproduces a picture on "camel fighting in Turkey." Among the general popular and undocumented books on gambling I have seen, that of Wykes pays the most attention to the Near East.

[242a] Cf. Abū Nuʿaym al-Iṣfahānī, *Ḥilyah*, IV, 137 (reprint Beirut 1387/1967). For a reference to 'a stadium for fights (*hirāsh*) of wild animals' from Ḥamzah al-Iṣfahānī, cf. W. B. Henning, in *Handbuch der Orientalistik*, I, iv: *Iranistik*, I, 88, n. 1 (Leiden and Köln 1958).

[243] See above, n. 47.

Another form of the same root, *thiqāf*, appears among the sporting and gambling activities listed by Ibn Taghrībirdī in between wrestling and *shibāk* (presumably some form of wrestling?).[244] It may thus not be sword play, especially, if *shibāk* had nothing to do with "entangling." A gloss in Ms. Dublin Chester Beatty 4759, fol. 24a, seems to explain *thiqāf*, mentioned there in connection with javelin play (*al-liʿb bi-l-ḥirāb*)[245] as something called *diqāf* (*difāf* or *diqāq*?), which is explained as a game with two sticks (*ʿaṣā*) in which one contestant has a stick with which he beats the stick of the other (a common game in the Near East and elsewhere for both children and adults). Qatādah b. Diʿāmah (d. 117/735) was credited with an aversion to games that extended as far as playing with sticks.[246] Al-Malik al-Muẓaffar is also said to have played with sticks with the common people or to have "played with sticks the *liʿb ṣ-bāḥ*" (the last word requiring explanation).[247]

20. *Shooting Competitions*

Flight and target shooting of arrows[248] was equal to horse racing in popularity and as a gambling possibility. Both had equal importance as fundamental military pursuits. Both are most frequently mentioned together in the same breath. Thus, someone who wished to explain the meaning of the word *khaṣl* would simply say that it was the prize (*ghalab*) in gambling, horse racing, and arrow shooting.[249] In the legal discussion, it was naturally associated with horse racing and considered to share its legal problems and legal standing.[250] Major archery competitions without prizes must be assumed to have been rare, if not all but non-existent. Again, we have no good explicit evidence on gambling done by non-participants.

Slingshot shooting was listed by jurists among the possibilities for gambling activities.

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[244] See above, n. 233.

[245] For the famous tradition of ʿĀʾishah watching Ethiopians engaged in playing with javelins, see above, n. 6.

[246] Cf. Ibn Abī Shaybah, *Muṣannaf*, fol. 71b.

[247] Cf. Ibn Taghrībirdī, *Nujūm*, X, 169; al-Maqrīzī, *Sulūk*, II, iii, 729.

[248] Cf. J. D. Latham and F. W. Paterson, *Saracen Archery*, chapter 19 (London 1970), and Latham, *The Meaning of "Maydān as-Sibāq,"* in *Journal of Semitic Studies*, XIII (1968), 241-268. Cf. also the references to pumpkin *(qarʿah, qabaq)* shooting in Latham and Paterson.

[249] Cf. ash-Sharīshī, *Sharḥ al-Maqāmāt*, II, 324, l. 2.

[250] See, for instance, above, p. 46, and below, p. 105.

21. *The Walnut Game and Marbles*

The walnut (*jawz*) game of children received constant notice in the Qur'ān commentaries and the legal literature as an example of the absolute character of the prohibition of gambling (*maysir*). According to many authorities, the prohibition extends "even to the *jawz* game of children." We hear about some of the terminology used in connection with the game.[251] Thus, *khaṭar* (pl. *akhṭār*) is said to refer to the *ḥaraz* (pl. *aḥrāz*) of the nut game. *Khaṭar* and *ḥaraz* designate the nut that is *maḥkūk*,[252] apparently meaning nuts that are made smooth (and round?) for playing. We are not told how the game was played. The smoothing of the nuts may indicate that they were rolled, perhaps like our marbles which, incidentally, ranks as a heavy gambling game. The winner no doubt got the loser's nuts, and he (and others) could eat them, if he felt like it. A legal decision of the twelfth-century Ḥanafite Qāḍīkhān thus settled the hardly earth-shaking problem of "whether the nuts with which children play on the holiday (*yawm al-ʿīd*) can be eaten" in this manner: "It has been transmitted on the authority of Ibn ʿUmar that he used to buy nuts for his children on the *ʿīd* to play with, and he used to eat some of them. This is so, when there is no gambling involved (*ʿalā wajh al-muqāmarah*). If gambling is involved, this is forbidden."[253] According to the Ḥanbalites, purchasing the nuts or eggs used by children for gambling is not permitted.[254] The boy who played with nuts all by himself, because only then did he feel that he was in complete control of affairs,[255] was certainly no exception to the principal purpose of the game, which was to present an opportunity for children to act out their gambling instinct.

Apparently something similar to the walnut game was a game played with objects called *madāḥī* or *masādī*. It was probably

[251] The philologians expectedly came up with reports on strange words used in connection with the game. Thus, Dhū r-Rummah supposedly used *fijrim* for the nuts and *ūqah*, pl. *uwaq*, for the holes into which the nuts were to go, cf. al-Qālī, *Amālī*, II, 4 f. (Cairo 1373/1953). For "nut" as a word for chips or play money, see above, n. 164, and below, p. 154. For a Jewish reference to a nut (*ʾeḡōz*) game, cf. L. Landman, *Jewish Attitudes toward Gambling*, in *Jewish Quarterly Review*, LVII (1966), 301.

[252] Cf. al-Azharī, *Tahdhīb*, IV, 360, VII, 225; *Lisān*, VII, 199, V, 336.

[253] Cf. Qāḍīkhān, *Fatāwī*, IV, 412 (Calcutta 1835). Ibn Sīrīn is said to have disapproved of the gambling by children with nuts on the *ʿīd*, cf. Ibn Abī Shaybah, *Muṣannaf*, fol. 72b.

[254] Cf. Ms. Dublin Chester Beatty 4759, fol. 23a.

[255] Cf. H. Ritter, *Das Meer der Seele*, 114 (Leiden 1955), from Farīd-addīn ʿAṭṭār.

identical with the *daḥw bi-l-ḥijārah* "pushing rocks" which, according to Ibn Abī Shaybah, was considered unobjectionable (*lā ba's bih*) by Sa'īd b. al-Musayyab, who figures frequently in the context of games and sports.[256] Al-'Askarī mentions *midḥāh* and *sadw* in his list of children's games and describes *sadw* as digging a hole into which children pitch walnuts.[257] The lexicographers, who also suggest a certain similarity to the nut game, allude to a story about Abū Rāfi' who played *madāḥī* with the Prophet's grandsons. Az-Zamakhsharī reports the story in some detail. It is an interesting example of the gambling ways of children:

> "Abū Rāfi', the client of the Messenger of God, said: I used to play *madāḥī* with young al-Ḥusayn. When my *midḥāh* hit his, I told him to carry me on his back, but he said: 'How could you ride on a back which the Messenger of God forbade to ride on!' So I let him go. Now, when his *midḥāh* hit mine, I told him that I refused to carry him, just as he had done, but he said: 'Would you not be happy to carry on your back someone whom the Messenger of God had carried on his?' So I carried him on my back.
>
> *Madāḥī, masādī,* and *marāṣī'* are rocks like *qiraṣah* (pl. of *qurṣah* "round pill, disk," and the like) which are rolled *(d-ḥ-r-j)* into a hole. When they fall into it, (the one who rolled them) is the winner."[258]

The description of the game corresponds to those given by the lexicographers, although they use "pushing" and "throwing" rather than "rolling." The significance of "hitting" in the story is not spelled out and thus not really clear. The precise rules of the game were obviously no longer known to the authors who mention it. It would seem clear, however, that the stake in the game was usually not the *madāḥī* themselves but some other small thing or activity enjoyed by children.

22. *The Egg Game*

The egg (*bayḍ*) game is perhaps cited not quite as often as the walnut game as an example of a children's game that is *maysir*, but it is also occasionally referred to in this sense. It was played with (hard boiled) eggs. One player tried to hit with his egg that of the other player and break it (*diqāq al-bayḍ* as it is called).[259] The

[256] Cf. Ibn Abī Shaybah, *Muṣannaf*, fol. 102a.

[257] See below, p. 65.

[258] Cf. az-Zamakhsharī, *Rabī'*, fol. 86b, and, for the lexicographers, Ibn al-Athīr, *Nihāyah*, II, 16; *Lisān*, XVIII, 276; Lane, 857c.

[259] Cf. Ibn Abī d-dunyā, *Dhamm*, 36 f., 58 f.; Ms. Dublin Chester Beatty 4759, fol. 22b. In describing the game in connection with a verse of Mahsatī,

gambling done in this game presumably again consisted of the winner taking possession of the egg of the loser and eating or selling it. Al-Ḥasan al-Baṣrī is said to have permitted the game, because children do not have the status of responsible Muslims and, therefore, their actions have nothing to do with the legal situation holding it to be forbidden, in contrast to adults with whom gambling is a sin and whose gambling gains are something forbidden.[260] On the other hand, the Ḥanbalite Ibn Taymīyah is firm in his view as to its illegality: "The legal situation with respect to gambling with eggs on (Maundy) Thursday and selling them to those who will gamble with them, and buying them from gamblers is obvious."[261]

23. *The Ring Game*

Liʿb al-khātam is mentioned by jurists as an opportunity for gambling. No description of it seems to be available. It appears in connection with polo and weight lifting in al-ʿImrānī.[262] Al-Jawbarī speaks of the marvelous secrets of prestidigitators with respect to the *liʿb al-khātam*.[263]

24. *Playing Cards*

Due to the discoveries by L. A. Mayer and R. Ettinghausen of playing cards from Mamlūk Egypt, it is now virtually certain that we have here the ancestors of the type of Western European playing cards most familiar to us. While for most of the cards a fifteenth-century date is assumed, R. Ettinghausen has tentatively suggested that a card discovered by him is much earlier, possibly going back to late Fāṭimid times. We have no information how exactly those cards were used, but, as Ettinghausen has shown on the basis of information furnished by Laila Serageddin, we know that they were

F. Meier, *Die schöne Mahsatī*, 166 f. (Wiesbaden 1963, *Veröffentlichungen der Or. Kommission der Akad. der Wiss. u. der Literatur* 15), says that the eggs were (usually ?) colored. I do not know whether this statement is based on some old source or on modern custom, where, as in Turkey, they are colored red.

260 Cf. Ibn Abī d-dunyā, *Dhamm*, and Ms. Dublin Chester Beatty 4759, *loc. cit.* (n. 259).

261 Cf. Ibn Taymīyah, *Fatāwī*, II, 96. Maundy Thursday *(al-khamīs)* was sometimes also called *khamīs al-bayḍ*. The Christian association of the game did not determine the attitude of Muslim jurists toward it, but it probably was an additional point against it.

262 See below, p. 108.

263 Cf. al-Jawbarī, *Kashf*, 61.

called *kanjifah* and that already in the early fifteenth century, they were used for heavy gambling involving considerable sums of money.[264]

The sixteenth-century Ibn Ḥajar al-Haytamī mentions *kanjifah* in connection with *aṭ-ṭāb wa-d-dukk*.[265] The *Arabian Nights* refer to it in the story of the learned slave girl Tawaddud between chess and *nard*, but while Tawaddud then goes on to elaborate on the latter two games, nothing more is said about *kanjifah*.[266] The Persian dictionary lists *ganjifah*, *ganjīfah* "pack of cards, game of cards," *ganji/īfah-bāz* "card player, trickster," *ganjifah-bāzī* "card trick, sleight of hand," and *ganjīfah-sāz* "manufacturer of cards."[267] Long ago the suggestion was made by K. Himly that the Persian word was of Chinese origin.[268]

A note signed by a certain Muḥammad Sa'īd which appears in the chess manuscript published by F. M. Pareja Casañas speaks of "the well-known paper game" (*li'b al-kāghid*) as an example of a game of pure luck.[269] This may refer to playing cards. However, the writer of the note might possibly have lived as late as the eighteenth century, and his testimony is thus of very little use to us.

25. *Suddar and Ṭuban*

Slightly different vocalizations are reported for both words. It would seem that the game is attested by poetry as already pre-Islamic. It is supposedly mentioned in traditions, but not among

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[264] Cf. L. A. Mayer, *Mamluk Playing Cards*, ed. R. Ettinghausen and O. Kurz (Leiden 1971, *The L. A. Mayer Memorial Studies* 1), and R. Ettinghausen, in *Gatherings in Honor of D. E. Miner*, 51-78 (Baltimore 1974). The word *kanjifah* appears on fig. 23 of Mayer's publication. The gambling story is reported in Ibn Taghrībirdī, *Nujūm, anno* 820/1417-8, cf. also W. Popper, *(Ibn Taghrī Birdī's) History of Egypt*, Part III, 50 (Berkeley and Los Angeles 1957, *University of California Publications in Semitic Philology* 17).

[265] See above, pp. 44 f. For a reference to card playing in 1527 from Bābur's Memoirs, cf. R. Caillois (ed.), *Jeux et sports*, 951 (Paris 1967).

[266] Cf. *Arabian Nights*, ed. Macnaghten, II, 354 f., trans. Littmann, III, 693 f. (460th to 461st nights).

[267] Cf. F. Steingass, *(Persian-English Dictionary,)* 1098 f. (originally published in 1892). It would be very important to know the date of the earliest occurrence of *ganjifah* in Persian literature and to have references to passages clarifying its use. In the article cited (n. 264), R. Ettinghausen refers to a Persian occurrence from the fifteenth century.

[268] Cf. K. Himly, in *Zeitschrift der Deutschen Morgenländischen Gesellschaft*, XLIII (1889), 421 ff.

[269] Cf. F. M. Pareja Casañas, *Libro del Ajedrez (de autor árabe desconocido)*, I, 11, trans. 11 (Madrid and Granada 1935).

those accepted into the canonical collections. It is alleged to have been played by men such as Abū Hurayrah.[270] It is said to be a children's game. No more detailed description than "being a round line (on the ground)" is given.[271] It supposedly was a game used for gambling (*yuqāmar bihā*).[272] In a twelfth-century rhymed riddle by Abū l-Ḥasan Ibn Riḍwān, the moon (*qamar*) is described as "a gambler (*muqāmir*) that never suffers defeat (*lam yuqmar*), as if it were playing *suddar*." The poet certainly had no idea what kind of a game *suddar* really was. Perhaps, he thought of a game like *fourteen*, with twenty-eight holes representing the period during which the moon always recovers.[273] The identity of *suddar* with *ṭuban* was generally assumed. For *suddar*, Persian etyma were given, such as *si-darah*.[274] The identifications with *fiyāl* and *qirq* mentioned before merely show that nobody knew any longer what *suddar*-and-*ṭuban* actually was.

26. In his *Zawājir*, II, 191, Ibn Ḥajar al-Haytamī enumerates a few more games whose legal status he considered the same as that of *nard* or *fourteen*. This might suggest that they were dicing games, but this is by no means certain. The games were called, if the available text of the *Zawājir* can be trusted, *ṣ-d-r* (read *suddar* ?, see n. 273), *s-l-f-h*, *thawāqīl*, *kiʿāb*, *rabārīb (zabāzīb ?)*, and *dh-rāfāt*. The forms of the words and the kinds of games involved must be left for others to determine.

27. *Further Children's Games*

Children's games have been a field of considerable interest and study for medieval as well as modern scholars. Often, their popularity, terminology, rules, etc., may have had a rather limited lifespan. Some persisted through the ages under different names. Most of those games would be played for rewards and penalties, so that they would fall under the definition of gambling.

The words used in connection with these games were usually

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[270] Cf. Ibn al-Athīr, *Nihāyah*, II, 166.

[271] Cf. *Lisān*, VI, 20.

[272] Ibn al-Athīr, *Nihāyah*, and *Lisān*, *loc. cit.*

[273] Cf. al-ʿImād al-Iṣfahānī, *Kharīdah* ('Irāqī poets), I, 136 f. *Suddar* is an apparently correct emendation of the editors, for *ṣ-ḍ-r*, but see Ibn Ḥajar al-Haytamī (below).

[274] Al-ʿAskarī, *Talkhīṣ*, 718, has *s-d-r-k* (?). Steingass, 715b, lists *sīdare*. Cf. already Hyde, II, 12.

rather peculiar. This, and the fact that they occurred occasionally, or were assumed to occur, in ancient poetry, made Arabic philologians eager at least to list them, if they were usually not able to explain them. A few of the names of the games may be mentioned here. Among children's games, we thus hear about *qulah*, played with the *miqlā'*; it occurs in the poem of Labīd cited above in connection with *fiyāl* (n. 123). In the *Talkhīṣ*, 718-724, al-'Askarī mentions *qulah* and *miqlā'* as well as such games as *zuḥlūqah*, *urjūḥah* "seesaw,"[275] *ṭuban*, *fiyāl*, *miḥtam*, *khudhrūf* and *duwwāmah*, both meaning "spinning top,"[276] *ṣawlajān*, *qalā'ah* "slingshot," *kharāji*,[277] *khasā-wa-zakā*,[278] *unbūthah*,[279] *midḥāh*, *sadw*,[280] *mikhrāq*,[281] *bawṣā'*, *ḥājūrah* (a round circle in which one child stands, while the others surround the circle and try to catch him), *tajāmuḥ* (throwing an astragal and trying to dislodge another one with it), *ḥujayyā*, and *māqiṭ* (throwing a ball against a wall). In his *Durrah*, 172, 430, Ḥamzah al-Iṣfahānī speaks of *jummāḥ* (arrows with a *bunduqah* "hazelnut, pellet" or a softened date covering the point), throwing an astragal and trying to dislodge another one with it (the *tajāmuḥ* of al-'Askarī), and something called *diḥindiḥ*, which others, it seems, did not consider a game but a little animal or "nothing."[282]

A game with a clay ball called *kujjah (ājurrah, buksah, tūnah)*[283] is always described as being used for gambling. We do not know what it was, not did those medieval scholars who referred to it. The eighth-century Ibn Wahb is said to have reported that Ibn 'Umar passed by children who played with the *kujjah*, that is, "holes in

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[275] Cf. Ibn Abī d-dunyā, *Dhamm*, 35 f., 58.

[276] In Khuwārizm, the money changers sold dice *(ki'āb)* and *duwwāmāt*, according to the report of Ibn Faḍlān, cf. Z. V. Togan, *Ibn Faḍlān's Reisebericht*, text 7, trans. 12 (Leipzig 1939, *Abh. für die Kunde des Morgenlandes* 24, 3). In all likelihood, they were used for gambling games.

[277] See above, n. 120. Among the Bedouin games mentioned by al-Jāḥiẓ, *Ḥayawān*, *loc. cit.* (above, n. 122), it is equated with a game called *dārah*. I do not know whether the same word is involved when A. Wykes, *Gambling*, 12, captions a picture as "showing desert Arabs using stones as pieces and depressions in the sand as a board, in a form of *dara*—a gambling game."

[278] "Odd and even," cf. Hyde, II, 261; Lane, 739c. See above, n. 118.

[279] See above, n. 125.

[280] See above, pp. 60 f.

[281] See above, n. 46.

[282] Cf. al-Maydānī, *Arabum Proverbia*, II, 891; *Lisān*, III, 259.

[283] Cf. *Lisān*, III, 175, VII, 327, XVI, 224; *Wörterbuch der klassischen arabischen Sprache*, letter *K*, 70 f. The word *kujjah* was already known to Hyde, II, 250. See also above, Ch. I, n. 1.

which there are pebbles to play with."[284] This looks like a description of *fourteen*, or perhaps, rather, of *midḥāh* and *sadw*. It illustrates the prevailing confusion between games and the names for games, a confusion which at this late time can no longer be cleared up.

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[284] Cf. al-Qurṭubī, *Jāmi'*, VIII, 340.

CHAPTER THREE

PRE-ISLAMIC GAMBLING, *MAYSIR*, AND THE LAW

> They will ask you about wine and *maysir*. Say: In both is a great sin as well as some uses for people. Their sin is greater than their usefulness (2:219/216).
>
> O believers! Wine, *maysir*, sacrificial stones, and divining arrows are an abomination wrought by Satan. Thus avoid it! Perhaps you may prosper. Satan just wants to cause hostility and hatred to occur among you in wine and *maysir* and to bar you from the remembrance of God and from prayer. Thus, would you not want to stop it! (5:90-91/92-93).
>
> O believers! Do not consume your possessions among yourselves with *worthless frivolity*! It is different when they are (used for) business mutually agreed upon by you (4:29/33).
>
> The Messenger of God has said: He who swears and in doing so says, By Allāt and al-ʿUzzā!, should say, There is no god but God. And he who says to his companion, Let me gamble with you!, should make a contribution to charity (al-Bukhārī, to *sūrah* 53; *Concordance*, V, 466a8-12).

Gambling in pre-Islamic times that took place outside of Arabia did not leave much of a reflection in Muslim literature. It is probable that little of the Indian propensity for gambling was widely known before al-Bīrūnī wrote his work on India, although some inkling of it may have penetrated Muslim consciousness much earlier with the introduction of the legendary history of chess.[1] References to gambling in Greek literature were not very frequent in the first place, and only occasional remarks on the subject can be found in the translation literature. However, they involved such matters as dream interpretation—dreaming of dice games means quarreling about money (cf. Qurʾān 5:91/93)[2]—and astrology,[3] both of which were highly influential in later Muslim society.

From an Arabian setting, we hear about the pre-Islamic Luqmān that he was famous for his *maysir* playing with his companions.[4] It

[1] See above, Ch. II, n. 148, and below, p. 164.

[2] Cf. Artemidorus, 205 Pack/369 Ar. (above, n. 135); Murray, *A History of Chess*, 165.

[3] See above, Ch. II, n. 139.

[4] Cf. the constantly quoted verse by Ṭarafah, *Dīwān*, ed. Seligsohn, 67, trans. 44, no. 2, verse 70.

is not clear whether or not he was identical with the Qur'ānic sage of the same name.[5] The story of the inveterate gambler that was (another?) Luqmān's master, with its two motifs of the clever slave and the impossible task evaded by a ruse, certainly originated in the region north of Arabia. As told by al-Mubashshir, Luqmān's Israelite master, who had bought him for thirty *mithqāl*s of gold, used "to play *nard* and gamble (*khāṭara*) on it." One day, the bet was that the loser should drink all the water in the river flowing by his house or redeem himself with something that the winner would demand. Luqmān's master lost, and the winner (*qāmir*) insisted that he drink the water or lose his eyes. Luqmān advised him to ask the winner whether he meant that he should drink the water between the banks of the river or the swell of water flowing through. When, as Luqmān knew, he would choose the former alternative, he should tell him to hold up the current. This, of course, he would have to admit he was unable to do. Thus, Luqmān's master avoided the obligation (*ḍ-m-n*) resulting from his gambling loss.[6]

For later Muslims, gambling was one of the many vices of pre-Islamic Arabs. They were accustomed to gamble recklessly for their property and their family (women folk, *ahl*). In the *Jāhilīyah*, we are told on the fictitious authority of Ibn ʿAbbās, a man would gamble (*khāṭara*) with another for his women folk and his property, and whoever defeated his partner would leave with the other's property and women folk.[7] There was, in fact, nothing those benighted people would not gamble on.[8] It was a compulsion that had a firm hold on those affected by it.[9] Gambling for an award (*al-mukhāṭarah ʿalā juʿl*) and betting for a stake (*al-munāḥabah ʿalā rahn*) were practiced at the time of the coming of Islam, as was the case with all other matters that were later on liable to legal classifi-

[5] Cf. J. Horovitz, *Koranische Untersuchungen*, 132 ff. (Berlin and Leipzig 1926).

[6] Cf. al-Mubashshir, *Mukhtār al-ḥikam*, 260 f. (above, Ch. II, n. 140). Another version, probably less original, appears in ath-Thaʿlabī's *Qiṣaṣ al-anbiyā'*, chapter on Luqmān.

[7] Cf. al-Qurṭubī, *Jāmiʿ*, II, 52.

[8] Cf. Ibn al-ʿArabī, *ʿĀriḍat al-aḥwadhī*, VII, 189.

[9] For a testimony from early Islamic times, cf. the verse ascribed to the seventh-century Jamīl al-ʿUdhrī in which he speaks of the beloved having "taken a firm grip *(ǧ-f-r bi-)* on my mind, just as the gambler takes a firm grip on the arrows," see al-Qālī, *Amālī*, I, 214. The idea here does not seem to be that of arbitrarily playing with the mind as with arrows but that of holding on to them so as to be always ready for gambling (cf. the story of Aʿshā Nahshal, below, p. 70).

cation as permitted or forbidden and clearly designated as such by the divine revelation.[10] What kind of gambling and, in particular, how much gambling was done in pre-Islamic Arabia are questions which are unfortunately not answered by such offhand remarks. If their authors had been more explicit in their statements, those statements would, presumably, not have provided historical facts; still, being anachronistic, they would at least have contributed to our knowledge of their authors' understanding of and information about later gambling activities. Be this as it may, there can be no doubt that gambling games and sports were favorite pastimes in ancient Arabia. Perhaps, the statement that "dicing and horse racing are the two amusements to which the Vedic Indians were passionately devoted"[11] is also applicable to pre-Islamic Arabia, although economic, if not social, conditions can be assumed to have necessitated restrictions which did not exist in ancient India.

The literature concerned with the "firsts" (*awā'il*) mentions as the world's first gambler a king from among Cain's descendants who lived in the time of Noah.[12] This fantastic bit of information may owe its existence to someone greatly concerned about the prevalence of gambling in his own time. However, no conceivable importance attaches to it. Of much greater potential interest is the statement reported in all the large *awā'il* works that the first person ever to forbid gambling (*qimār*) was al-Aqraʿ b. Ḥābis. It is attested directly as early as the ninth century by Ibn Qutaybah's *Kitāb al-Maʿānī*. According to Ibn Qutaybah and to the *Awā'il* of al-ʿAskarī,[13] al-Aqraʿ was the arbiter (*ḥakam*) of the Arabs at every fair held at ʿUkāẓ at the time when Muḥammad received the divine call, and he was one of the Prophet's "sympathizers" (*al-mu'allafah qulūbu-*

[10] Cf. Ibn al-ʿArabī, *ʿĀriḍat al-aḥwadhī*, XII, 68.

[11] Cf. H. Lüders, *Das Würfelspiel im alten Indien*, 3 (Berlin 1907, *Abh. der kgl. Gesellschaft der Wiss., Göttingen, phil.-hist. Kl., N. F.* 9, 2), cf. also P. Thieme, *Chess and Backgammon (Tric-trac) in Sanskrit Literature*, in his *Kleine Schriften*, 413-425 (Wiesbaden 1971), and W. N. Brown, in *Proceedings of the American Philosophical Society*, CXVI (1972), 256, on how to escape a gambling compulsion. For the possibility of a very ancient interchange of dice between India and the Near East, cf. G. Dales, *Of Dice and Men*, in *Journal of the American Oriental Society*, LXXXVIII (1968), 14-22.

[12] Cf. al-Kāfiyajī, in F. Rosenthal, *A History of Muslim Historiography*, 2nd ed., 570 (Leiden 1968). The independent *awā'il* works do not have this information.

[13] Cf. Ibn Qutaybah, *(Kitāb) al-Maʿānī*, 476 (Hyderabad 1368-1369/1949), and (Abū Hilāl) al-ʿAskarī, *al-Awā'il*, ed. A. Ṭarābzūnī al-Ḥusaynī and M. as-Sayyid al-Wakīl, 69 (Medina and Tangiers, n. y. [1385/1966, or 1970?]).

hum) won by diplomacy and gifts. As one of the sympathizers, as well as in other capacities, he is often mentioned in the historical literature. We also hear it said that he was a Zoroastrian (*majūsī*).[14] If al-ʿAskarī's source was indeed al-Madāʾinī as he says it was (regrettably adding, "and others," thus leaving the matter a little vague), it is most plausible to assume that he used a written work of al-Madāʾinī and that the existence in literature of the statement concerning al-Aqraʿ is assured for at least the second half of the eighth century. What makes the statement so remarkable is the fact that, if it is entirely unhistorical, it makes one wonder why it should have been invented in early Islamic times. If, on the other hand, there is some historical truth to it, it would indicate that gambling was considered objectionable by others in the environment of the Prophet, before the Qurʾān pronounced an opinion on it; it would make no sense to assume that al-Aqraʿ's prohibition of gambling was merely the first enforcement of the Qurʾānic prohibition.

A pre-Islamic gambling story is one reported in *Aghānī* as derived from a written work of Ibn Ḥabīb (d. 245/860), who received it through the intermediary of Ibn al-Aʿrābī from al-Mufaḍḍal aḍ-Ḍabbī. When the poet al-Aswad b. Yaʿfur, also known as Aʿshā Nahshal,[15] was living among the Murrah b. ʿAbbād in al-Qāʿah, he used to gamble with them. They always won, till he owed them nineteen camels. His mother, Ruhm, blamed his gambling companions for depriving al-Aswad of his property. When they asked what they could do to stop al-Aswad's gambling, Ruhm told them to sequester his arrows. When he came again to gamble, although he had been requested to stay away, they rejected his arrows. Al-Aswad defiantly declared that he would not live among people who did not allow him to "throw arrows" (*ḍaraba bi-l-qidḥ*).[16]

Again, it is Ibn Ḥabīb who tells us about pre-Islamic gambling in one of his own works. The chieftain of the ʿAbd-Manāt of the Kinānah, Balʿāʾ b. Qays, gambled with arrows with Qudāmah b. Qays and won all his property. Qudāmah suggested to Balʿāʾ that they gamble for his hand and fifty camels (apparently, Qudāmah's hand against Balʿāʾ's camels). Balʿāʾ agreed and won again. When he wanted to cut off his hand, Qudāmah asked him not to do it and

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[14] Cf. Ibn Qutaybah, *(Kitāb) al-Maʿārif*, ed. Tharwat ʿUkāshah, 62 (Cairo 1960). On al-Aqraʿ, see M. J. Kister, in *EI*², I, 343.

[15] Cf. R. Blachère, *Histoire de la littérature arabe*, 297 f. (Paris 1952-1966).

[16] Cf. *Aghānī*, XI, 136 (*Aghānī*³, XIII, 19 f.).

offered him instead his loyal protection. His hand was to remain as a loan which could be called by Bal'ā' whenever he so desired. On the battle day of al-Mushallal, Bal'ā' offered Qudāmah the choice between having the loan of his hand called or redeeming it by fighting. Qudāmah chose the latter and fought most valiantly.[17]

This story reads like the doublet of one much more famous in Muslim literature, that of Abū Lahab, the Prophet's hated uncle, and al-'Āṣ b. Hishām b. al-Mughīrah al-Makhzūmī. Probably each one of them is the independent elaboration of the same motif. In the case of the Abū Lahab story, the ways of elaboration and amplification are quite visible before our eyes.

Abū Lahab refused to serve in the Meccan army at Badr and sent al-'Āṣ as his substitute. Al-'Āṣ was killed in the battle by 'Umar (or by 'Alī—the sources are not unanimous on this point; according to 'Alī himself, the confusion arose from his having killed another al-'Āṣ, namely, al-'Āṣ b. Sa'īd). The oldest report available to us so far would seem to be the one of Ibn Isḥāq, as reported in Ibn Hishām and echoed in aṭ-Ṭabarī. It says that al-'Āṣ owed Abū Lahab 4,000 dirhams, which he was unable to pay.[18] Thus, Abū Lahab hired him for that amount to take his place in the military expedition, and he went, while Abū Lahab stayed behind.[19] Nothing is said here about gambling. Al-Wāqidī just mentions debt in general and no gambling,[20] while Ibn Sa'd has nothing on either debts or gambling but merely says that it was not only Abū Lahab who chose a substitute on that occasion but others did so, too.[21]

However, gambling entered the story at some time, apparently at the bidding of littérateurs rather than historians. Three verses by the early Islamic poet Ḥassān b. Thābit in which he reviled some people because their father had been a blacksmith, were placed in this context. Al-'Āṣ "was called one of the fools (*aḥmaq*) of the Quraysh. He had gambled with Abū Lahab b. 'Abd-al-Muṭṭalib who defeated him and eventually won his person and made him a black-

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[17] Cf. Ibn Ḥabīb, *Munammaq*, ed. Kh. A. Fāriq, 132 f. (Hyderabad 1384/1964).

[18] The general sense is clear, but the exact literal meaning is slightly doubtful, primarily because of the use of the unusual *l'ṭ, laṭṭa*.

[19] Cf. Ibn Hishām, *Sīrah*, ed. F. Wüstenfeld, I, 430 (Göttingen 1858-1860), trans. A. Guillaume, 291 (Oxford 1955, reprint Karachi 1967); aṭ-Ṭabarī, *Annales*, I, 1295.

[20] Cf. al-Wāqidī, *Maghāzī*, ed. Marsden Jones, I, 53 (London 1966).

[21] Cf. Ibn Sa'd, *Ṭabaqāt*, IV, i, 51.

smith (*qayn*)" and then sent him as his substitute to participate in the battle of Badr.[22] We apparently have no way of knowing whether it was true that the verses ascribed to Ḥassān concern al-ʿĀṣ and his prominent progeny. We hear that there were two smiths (*ḥaddād*) among the noble Meccans who plied a variety of crafts, namely, al-ʿĀṣ and (his uncle) al-Walīd b. al-Mughīrah.[23] They were thus suitable candidates for identification with the individuals addressed in the verses; still this need not be correct. The assembly of Ḥassān's poems passed through the hands of Ibn Ḥabīb, and he also reports the story in practically the same words in his *Munammaq*.[24] But regardless of whether or not the connection of Ḥassān's verses with al-ʿĀṣ and his family is true, the verses themselves contain no reflection whatever of the gambling story, so that its existence need not be dated to the very early times of Ḥassān. Its use for the explanatory comments need not, though, of course, it may, antedate Ibn Ḥabīb.

About a generation after Ibn Ḥabīb, we find a few more details. The historian al-Balādhurī speaks of Abū Lahab's being ill and sending al-ʿĀṣ in his place with the understanding that he would forgive a debt he owed him. Al-Balādhurī also reports another version stating that Abū Lahab "played with him for a stake to be determined (*ʿalā amrah muṭāʿah*). He defeated him and had him become a blacksmith in Mecca. Then he played with him again. Again, he defeated him. Then, he sent him to Badr in his place."[25]

[22] Cf. Ḥassān b. Thābit, *Dīwān*, ed. W. N. ʿArafat, I, 361 f., no. 191 (London 1971, *E. J. W. Gibb Memorial Series, N. S.* 25).

[23] Cf. Ibn Qutaybah, *Maʿārif*, 575.

[24] Cf. Ibn Ḥabīb, *Munammaq*, 457, 490. In his *Muḥabbar*, ed. I. Lichtenstaedter, 175, 379 (Hyderabad 1361/1942), Ibn Ḥabīb speaks of the "two fools of the Quraysh," but does not mention the story.

[25] Cf. al-Balādhurī, *Ansāb*, ed. M. Hamidullah, I, 292 (Cairo 1959).

For *amrah muṭāʿah*, lit. "an order to be obeyed," cf. Ibn ʿAbd-Rabbih, *ʿIqd*, ed. A. Amīn, I. al-Ibyārī, and ʿAbd-as-Salām M. Hārūn, VI, 405, and ʿAlī b. Naṣr al-Kātib, *Jawāmiʿ al-ladhdhah*, Ms. Istanbul Fatih 3729, fol. 214a (Hārūn ar-Rashīd, or an unidentified caliph, playing *nard* with a slave girl; when he loses constantly and is no longer able to comply with her demands, he agrees to write a promissory note); az-Zamakhsharī, *Rabīʿ*, fol. 86b (Sābūr gambling at chess); Lane, 97a; T. Nöldeke, *Belegwörterbuch zur klassischen arabischen Sprache*, ed. J. Kraemer, 39b (Berlin 1952-1954). For gambling with the winner promised the fulfillment of a wish to be expressed after winning, cf. also the story of Luqmān (above, p. 68) and possibly other of the gambling stories mentioned here. It can be assumed to have especially appealed to friends and lovers and may not have been uncommon in actual practice, and not only in anecdotes. Had Muslim jurists paid attention to it, they would have taken a particularly dim view of it.

The littérateur Ibn Qutaybah, in speaking about the fools of the Quraysh, dramatizes the event still a little more: "Abū Lahab gambled with him and defeated him, winning his property, then his house, then whatever he possessed as well as his family and his own person. When the day of Badr came, he sent him on the military expedition instead of going himself."[26] Finally, in the following tenth century, we meet with the full-blown literary treatment of the story in *Aghānī*, in the chapter devoted to al-ʿĀṣ's famous grandson, the poet al-Ḥārith b. Khālid al-Makhzūmī:[27]

> "As has been reported by Muṣʿab b. ʿAbdallāh, Abū Lahab gambled with al-ʿĀṣ b. Hishām for ten camels and defeated him, then again for ten camels, defeating him again, then again for ten camels, defeating him, then again for ten camels, defeating him, then again for ten camels, defeating him. Eventually, he stripped *(khalaʿa)* him of his property, and he had nothing left. Al-ʿĀṣ said to Abū Lahab: 'I notice that the arrows are your allies. But now, let me gamble with you, and the loser shall be the other's slave.' Abū Lahab said, 'Do,' and he did. Abū Lahab defeated him but disliked the idea of enslaving him and thereby arousing the wrath of the Makhzūm. He went to them and asked them to redeem al-ʿĀṣ for ten camels. They refused, saying that they would not even give a pelt for him. Thus, he enslaved him, and he used to herd his camels, till the (Meccan) polytheists went out to Badr. A source other than Muṣʿab said: He enslaved him and established him as a blacksmith working iron. When the polytheists went out to Badr, those who did not go along sent substitutes. Abū Lahab was sick. He sent al-ʿĀṣ out and stayed at home, with the understanding that when he returned to him, he would manumit him. ʿAlī b. Abī Ṭālib killed al-ʿĀṣ on that occasion."[28]

The *Aghānī* owed the story for the most part to Muṣʿab az-Zubayrī. His *Jamharat nasab Quraysh* apparently does not contain it, although it devotes some space to al-Ḥārith b. Khālid. Yet, even if the chain of transmitters suggests oral transmission, we have no good reason to doubt that it was actually derived from a written work of Muṣʿab. Muṣʿab lived ca. 156/773 to 233/848.[29] Thus, we are roughly back again in the time of Ibn Ḥabīb. The gambling aspect of the story cannot be traced back much beyond that time. To summarize, we might say, as far as the available source material permits a conclusion, that there was some dim recollection, possibly

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[26] Cf. Ibn Qutaybah, *ʿUyūn al-akhbār*, II, 41 (Cairo 1343-1349, reprint Cairo 1963-1964).

[27] Cf. Brockelmann, *GAL, Suppl.*, I, 190; Blachère, *Histoire de la littérature arabe*, 624 f. The poems of al-Ḥārith b. Khālid have been collected by Y. al-Jabbūrī (Baghdād 1972). See also below, Ch. IV, n. 56.

[28] Cf. *Aghānī*, III, 100 f. (*Aghānī*[3], III, 311).

[29] Cf. Brockelmann, *GAL, Suppl.*, I, 212; Sezgin, I, 271 f.

historical, of al-ʿĀṣ serving as a substitute whom Abū Lahab was able to send on the military expedition to Badr by promising him to cancel an unwisely incurred debt. Gambling as the cause of the debt could, no doubt, reflect a historical fact. However, it is much more likely to have been an added motif meant to contribute to Abū Lahab's disgrace, which was slowly embellished, apparently during the eighth century.

Of one thing, though, we can be rather sure. If the descriptions we have of the *maysir* game are approximately right, those gambling stories, with the possible exception of the one about al-Aswad b. Yaʿfur, are unlikely to have been *"maysir."* The individual *maysir* stake could supposedly be an entire camel instead of the usual parts of one animal, thus requiring the large total expenditure of ten camels for one game, but irresponsible gambling of the type mentioned in the stories apparently did not go with the game which is supposed to have been a formal occasion. And above all, *"maysir"* was a game normally played by more than two participants. Obviously, there must have been many ways in which arrows could be used for gambling. Their presence is indicated in some versions. However, we have no indication, nor did the reporters of the stories have any, as to how Balʿāʾ and Qudāmah and Abū Lahab and al-ʿĀṣ did their gambling.[30]

The *maysir* game was no longer known and, of course, no longer practiced in the time of al-Aṣmaʿī, according to a remark ascribed to him.[31] On the basis of verses referring to it, it was painstakingly and most brilliantly reconstructed by Ibn Qutaybah in his monograph on the game.[32] This is the gist of his view of how *maysir* was once played:

There are seven players, each one with an arrow marked as belonging to him. There may be less than seven, in that one individual may enter more than one arrow. There are altogether ten arrows, three of them blanks (*ghufl*) added for control purposes. The wealthier players, it seems, selected for themselves the arrows with the larger

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[30] The divination arrows *(azlām)* were described as three (positive, negative, blank), cf., for instance, al-ʿAynī, *ʿUmdat (al-qāriʾ)*, VIII, 587 (Constantinople 1308-1311); T. Fahd, in *EI²*, *s. v.* istiḳsām. The *azlām* were also identified as different objects such as pebbles or, fancifully, dice *(kiʿāb)*, cf. Ibn al-Jawzī, *Zād*, II, 284.

[31] Cf. ash-Sharīshī, *Sharḥ al-Maqāmāt*, II, 255.

[32] See above, Ch. I, n. 13. *Maysir* verses were discussed by Ibn Qutaybah also in *Maʿānī*, 1147-1174.

number of shares. (The *baram*, the wealthy individual who refuses to participate in the game, the stingy spoilsport and philistine, is much discussed. *Maysir* constituted a sort of social challenge to tribal members, and possibly strong pressure was exerted upon them to contribute, on the order of present-day charity drives.)

The prize is a camel, divided into ten parts (or, perhaps, ten camels, etc.). It is not paid for before the game. The losers will pay for it. All players have to deposit in advance the price of the shares of their respective arrows. The animal is slaughtered, before the game begins, in order to allow its division into ten parts.[33] Al-Aṣmaʿī assumed that the prize was divided into twenty-eight parts (the sum of the numbers from one to seven), but this assumption is to be rejected as inconsistent with the gambling purpose of the game (at least, according to the rules established by Ibn Qutaybah).

The arrows are placed into a *ribābah* (our "drum"), a container wide enough to permit shaking (*j-w-l* IV) the arrows in it. The *ribābah* has a small opening the width of only one or two arrows. It is attached to the hands of a man entrusted with the drawing. He is called *ḥurḍah*. His honesty is checked by an observer (*raqīb*) who has to be present at the game. The *ḥurḍah* wears a cloth over his hand, so that he cannot feel the arrows and possibly cheat in favor of one of the players (this makes sense only if the arrows are drawn, and not shaken out of the drum). He shakes the *ribābah* thoroughly and shakes out one arrow. If it is a blank, it is returned into the *ribābah*. If it is a winning arrow, its owner gets the share to which the arrow entitles him, and withdraws from the game. He may, however, put it back again, which would be proof of his generosity. The *ḥurḍah* then draws the second arrow, following the same procedure, and the game goes on this way, until the total indicated by the arrows, after a certain number of draws has been made, reaches ten or more. Then the drawing stops. Those players whose arrows did not come out split the price of the camel among themselves and pay for it. If the number of shares on the arrows drawn to this point amounts to exactly ten, all the losers have to pay is the price of the camel. But if it amounts to more than ten—for instance, if a seven and a six are drawn—, the first arrow drawn receives its full number of shares, and the second only as many as to make up

[33] A proverb speaks of the person "who shakes the arrows, while the animal is still grazing," cf. al-Maydānī, *Arabum Proverbia*, II, 696; R. Blachère, in *Arabica*, I (1954), 73. See below, Ch. IV, n. 42.

ten (three in this case), but the losers have to compensate him for the (three more) shares he should have gotten.

After one or two arrows have been drawn, another person, in addition to the seven original players, may enter his arrow in the game as an indication of his generosity (presumably, because his chances at winning are then much smaller).

The winners are expected to give their shares to the poor of the tribe.

This is a rather clear picture of the game. It may, or may not, be a true picture. It depends on the interpretation of difficult verses, possibly augmented by some otherwise unknown traditions and observations. There are variations. For instance, the number of blanks in the game is also given as four, instead of three.[34] The greatest uncertainty reigns with respect to the rules regarding the distribution of winnings and losses. Naturally, the game may not always have been played according to the same rules. The Arabic philologians concentrated much of their interest on the names given to the arrows and on all the other terminology connected with the game. Such knowledge, they felt, was needed for the interpretation of the ancient verses. It stimulated the occasional use of *maysir* terminology among later littérateurs.[35]

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[34] Cf. Ibn Ḥabīb, *Muḥabbar*, 333; al-Qurṭubī, *Jāmi'*, II, 58.

[35] A thorough and informative doctoral dissertation on *maysir* was published long ago by A. Huber, *Über das "Meisir" genannte Spiel der heidnischen Araber* (Leipzig 1883). The available source material has grown immeasurably since Huber's time, but most of the new material does not contribute very much new knowledge. Among the older descriptions of the game, we may mention Ibn Ḥabīb, *Muḥabbar*, 333-335; al-Ya'qūbī, *Ta'rīkh*, ed. M. T. Houtsma, I, 300 ff. (Leiden 1883) (cf. Huber, 51 f.); al-'Askarī, *Talkhīṣ*, 731-737. The succinct and mediocre description of az-Zamakhsharī, *Kashshāf*, I, 262, agrees quite widely with that of al-'Askarī. It was much admired and used by later scholars such as Fakhr-ad-dīn ar-Rāzī, *Mafātīḥ (al-ghayb)*, VI, 48 (Cairo 1353-1381/1934-1962); ad-Diyārbakrī, *Ta'rīkh al-khamīs*, II, 31 f. (Cairo 1302); Ibn Kamālpāshā, *Rasā'il*, 364 f. (Constantinople 1316). The work by 'Abd-as-Salām M. Hārūn, *al-Maysir wa-l-azlām* (Cairo 1953), is not meant to be a strictly historical study.

For the names of the arrows, cf. also az-Zajjājī, *Majālis al-'ulamā'*, ed. 'Abd-as-Salām M. Hārūn, 285-287 (Kuwait 1962); S. Wild, *apud* A. Spitaler, *aṣ-Ṣabru ka-smihī*, in *Der Orient in der Forschung* (*Festschrift* O. Spies), 656 (Wiesbaden 1967). The best discussion of the names known to aṣ-Ṣafadī was, he says, one in the *Sifr as-sa'ādah*, cf. aṣ-Ṣafadī, *Ghayth*, I, 267. He possibly meant the commentary on az-Zamakhsharī's *Mufaṣṣal* by 'Alam-ad-dīn as-Sakhāwī (d. 643/1245, cf. Brockelmann, *GAL*, *Suppl.*, I, 510, 727 f.), which requires checking. The Ms. Istanbul Topkapısarayı Koğuşlar 1096 (Cat. Karatay 7667, based on the misleading title-page), as described by F. Sezgin,

No matter how deeply philologians were interested in *maysir* as a source for rare lexemes and antiquarian curiosities, it was the mention of *maysir* in the Qur'ān which gave the principal impetus to all the references to and discussions of *maysir*. Turning to the Qur'ānic passages quoted at the beginning of this chapter, we must discuss here at least some of the many observations that were made by the commentators in connection with them.

The word *maysir* was taken to include all kinds of gambling. "*Maysir* is *qimār*" was a statement ascribed to Ibn 'Umar.[36] It became conventional wisdom to the degree that even the slave girl Tawaddud in the *Arabian Nights* parroted it and had nothing to add to it when the Qur'ānic verse was quoted.[37] In fact, however, the Qur'ānic references as such do not necessarily imply that *maysir* is anything more than the name of one particular game. The possibility that this was indeed so was occasionally raised, but when it was, the suggestion was dropped immediately. Thus, Fakhr-ad-dīn ar-Rāzī (d. 606/1209) had this to say in his Qur'ān commentary:

> "Fourth problem: There is a difference of opinion as to whether *maysir* is a designation for that specific kind of gambling (*qimār*, that is, the *maysir* game) or whether it is a designation for all kinds of gambling.
>
> It has been transmitted on the authority of the Prophet: 'Beware of those two dice, for they are the *maysir* of the non-Arabs (Persians).'
>
> It has been transmitted on the authority of Ibn Sīrīn, Mujāhid, and 'Aṭā': 'Everything involving a stake (*khaṭar*) belongs to *maysir*, even the walnut game of children.'
>
> Concerning chess, it has been transmitted on the authority of 'Alī: '*Nard* and chess belong to *maysir*.' Ash-Shāfi'ī says: 'Whenever chess is free from a stake (*rihān*), the tongue from iniquity, and prayer from forgetfulness, none is forbidden.' Now, (chess) has nothing to with *maysir*, since *maysir* is something that necessitates paying out or obtaining property. This (chess) is nothing of the sort. Thus, it is neither *maysir* nor *qimār*. And God knows better.
>
> Horse and camel racing is generally agreed upon not to belong to *maysir*, as is explained in the law books in the chapters dealing with racing and shooting."[38]

The problem whether *maysir* (in the Qur'ān) is just *maysir* or

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in *Islām Tetkikleri Enstitüsü Dergisi*, II (196), 252-255, supposedly contains another copy of the work but nothing, I believe, on the names of the arrows.

The original meaning of the word *maysir* was the subject of much speculation among lexicographers, which did not lead to any convincing results. It may, in fact, be lost in remote antiquity.

[36] Cf. al-Bukhārī, *al-Adab al-mufrad*, 325.

[37] Cf. *Arabian Nights*, ed. Macnaghten, II, 517 f., trans. Littmann, III, 669 f. (452nd night).

[38] Cf. Fakhr-ad-dīn ar-Rāzī, *Mafātīḥ*, VI, 48 f.

gambling in general is solved here as elsewhere through reference to certain authoritative statements attributed to the Prophet and others linking various potential gambling activities with *maysir* and, vice versa, presupposing that *maysir* in the Qur'ān is meant to include them. While this is no necessary logical conclusion, it may have been closer to the mark than the commentators knew. It would seem quite possible that the *maysir* game as described above was no longer practiced in the Prophet's environment and was not known to the Prophet who understood the word to refer to any gambling activities depending on the throw of arrows or other gambling devices. In view of the religious standing given to *maysir* by the Qur'ān, it seems peculiar that the game should have been so completely forgotten by the late eighth century, if it was well known in the Mecca and Medina of the Prophet. It is true that a number of the evidential verses for the *maysir* game goes back to poets of the Umayyad age, but if those poets really knew what it was, the religious scholars would certainly have drawn upon their knowledge and tried to utilize their sources of information. For those poets, *maysir* images may merely have been part of their traditional repertoire, reflecting a vague recollection of past practices. Thus, it is in truth quite uncertain how, when, and where "*maysir*" was played. For the Prophet, it may indeed have been a generic term for gambling.

It was observed by the commentators that with respect to both wine and *maysir*, the Qur'ānic references appear to indicate a gradual progression from branding them as a sin toward final prohibition. As to wine, the assumption was that there was an intermediate stage making for a three-stage development: the occasional use of it because of its usefulness (2:219/216), the prohibition of wine drinking during prayer times (4:43/46), and its association with the abominable practices of *maysir* and the command to desist (5:90-91/92-93). *Maysir* had only the two stages indicated.[39] It was considered debatable whether "sin" in 2:219/216 by itself indicated prohibition. On the basis of 7:33/31 where *ḥ-r-m* and *ithm* are juxtaposed, it was argued that this was indeed so. But this view was rejected as no true analogy, and it was pointed out that the Qur'ān does not say that *maysir* and wine *are* sin but merely that they *contain* ("in both is") sin.[40] On the other hand, it could also be said that

[39] Cf. aṭ-Ṭabarī, *Tafsīr* (new edition), IV, 330 ff. (Cairo, n. y. [1961?]).
[40] Cf. al-Qurṭubī, *Jāmi'*, II, 60 f.

the choice of the word "sin" is evidence for their being prohibited, and that the "uses" mentioned refer to what could have been considered usefulness, *before* they were prohibited. This argument was rejected by aṭ-Ṭabarī as inconsistent with Qur'ānic chronology.[41]

The adjective "great" (*kabīr*) in 2:219/216 easily admits of the reading "much, many" (*ḳathīr*). The latter was the reading of Ibn Mas'ūd, Ḥamzah, and al-Kisā'ī. Ibn Mas'ūd furthermore read *aktharu* "more" for *akbaru* "greater," while Ubayy had *akbaru* replaced by *aqrabu* "closer."[42] The reading "much, many" was defended, with respect to wine, as referring to the ten different activities connected with its production, merchandising, and consumption; not unexpectedly, nothing comparable was mentioned with respect to *maysir*.[43] Another suggested explanation was that both wine drinkers and gamblers commit sins in various respects,[44] which seems by far the more plausible interpretation of the variant reading "much, many." The reading *aktharu (aqrabu)* was almost generally rejected, and this would naturally also favor *kabīr* over *kathīr*.[45] For the jurists, *kabīr* held the obvious implication that *maysir* as well as wine drinking was to be classified as a *kabīrah*, a major sin.

Another vexing problem for the commentators was the reference to the "uses" of wine and gambling. It had to be clarified. This was no difficult task with respect to wine, and much more space was generally devoted to enumerating the uses of wine than those of *maysir*. A procedure somewhat unusual for Qur'ān commentators was that of az-Zamakhsharī who treated the uses of both together in one sentence. For him, these uses consisted in "the pleasure gained from drinking wine and gambling, the emotional element (*ṭarab*) in them, the opportunity they provide for people to become friends and companions of noble youth (*fityān*) and to share in their allowances of food and drink, and the expropriation (*salb*) of property by means of gambling and the feeling of pride (when the gambler compares himself) with those philistines too stingy to engage in gambling (*abrām*)."[46]

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41 Cf. aṭ-Ṭabarī, *Tafsīr* (new edition), IV, 330.

42 Cf. A. Jeffery, *Materials for the History of the Text of the Qur'ān*, 30, 121 (Leiden 1937).

43 Cf. al-Qurṭubī, *Jāmi'*, II, 60.

44 Cf. az-Zamakhsharī, *Kashshāf*, I, 262.

45 Cf. al-Qurṭubī, *Jāmi'*, II, 60.

46 Cf. az-Zamakhsharī, *Kashshāf*, I, 262. These uses are similar to those

As a rule, two things are stressed as the uses of gambling. In the first place, gambling provides an opportunity to get something without work and effort. This was often stated with respect to the pre-Islamic *maysir* game,[47] and in this case, it was not really objectionable. As a general statement, it certainly should have given pause to the religious scholars mentioning it. If it did not, the reason probably was that they would have thought that any possible use of gambling applied only to the time before it was forbidden by Islam. Still, a thirteenth-century jurist, who wrote a long work on the comparative uses (*manfaʿah*) and kinds of harm (*mafsadah*) caused by human actions, could seriously contend that the use of gambling resulted from "what the loser gets from the winner."[48] However, he gives the impression of not putting much store in that sort of usefulness.

The jurists' interest in the "easy money" aspect of gambling as a possible explanation of its "usefulness" was better expressed by Ibn Taymīyah. He has a long and remarkable discussion of the problem of the usefulness of both wine and *maysir* in its relationship to the general legal problem of benefit and harm. The uses of *maysir* may originally have been the gain of property and the pleasure of play, but it was realized that the losses resulting from gambling and the pain and harm caused by playing were greater. The primary purpose of *maysir* may have been the uplift (*inshirāḥ*) that playing and successful competition (*mughālabah*) give to human beings. The main reason for its prohibition is not merely the frivolous exchange of property attendant upon gambling. It is the effect it exercises upon the mind and heart. Property sustains the body, and the body sustains the heart. Whatever affects the body has priority over what affects property. There is a distinct rank order among benefits and harms. Those affecting the heart and mind and thereby man's religion and morals are clearly the more important ones. A comparison with usury bears out the difference. Usury means injuring the poor and needy. In *maysir*, the injured party may be either rich or poor, or *maysir* may be something that takes place between the rich.

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mentioned by Cardano, cf. O. Ore, *Cardano*, 122 f., 186. Among other things, gambling is a remedy for melancholy and helps to gain friends and promotions; on the other hand, it also leads to bankruptcy and quarrels. For gambling as an opportunity to be near one's beloved, see below, p. 128.

[47] Cf. al-Qurṭubī, *Jāmiʿ*, II, 57. For Ibn Sīnā denying that there is any use to gambling, see below, Ch. V, n. 76a.

[48] Cf. Ibn ʿAbd-as-Salām, *Qawāʿid*, I, 98.

Now, injuring the needy is worse than injuring the rich. Consequently, *maysir* as well as gambling as such is in a way considerably less harmful than usury. Furthermore, while *maysir* inevitably affects the heart and mind, there is no difference between types of commerce involving risk (which are allowed, because there is a need for them) and ordinary business transactions with respect to keeping, or not keeping, a person from his religious duties, as is the case in *maysir*.[49] What is remarkable in this discussion is the reference to the effect of gambling and alcohol upon the body. For Ibn Taimīyah, it is true, this potential physical effect is merely preliminary to the spiritual harm done by them, but it would seem that he had a least some inkling of the possibility that gambling could affect the physical constitution of the compulsive gambler. He also gives some passing thought to gambling as a crime that has no victims, since it is entered into voluntarily and the harm it does may occur where it does not matter. All of this is, of course, incidental to his fundamental concern with the usefulness or harm of gambling as a financial transaction.

In the second place, the *maysir* game was considered to have had a charitable purpose. It could not be denied that people in pre-Islamic times often gambled on their own account,[50] and the stories reported here earlier certainly had no charity as their objective. When the *mukhaḍram* poet ʿAbdallāh b. ʿAnamah aḍ-Ḍabbī gambled with the Banū Hind of the Shaybān, he was not in the least concerned with charity. He frankly states that "I came to the Banū Hind for some profitable gambling."[51] However, it was usually pointed out that *maysir* games were organized only in order to provide relief for the poor who needed food. In the words of Fakhr-ad-dīn ar-Rāzī:

> "The usefulness of *maysir* includes relief for the needy, because the winner himself does not benefit from the shares of the camel won by him but distributes them among the needy. Al-Wāqidī has mentioned that a player might win a hundred camels in one session, thus obtaining wealth without work and effort. Then he would spend it all on the needy, thereby gaining praise and glory."

On the other hand, naturally,

> "in *maysir*, relief for the needy is counterbalanced by ruin of the wealthy, because the one-time loser in gambling is motivated to

[49] Cf. Ibn Taymīyah, *Fatāwī*, II, 16-21.
[50] Cf. al-Qurṭubī, *Jāmiʿ*, II, 59.
[51] *Li-tarbaḥa qamratī*, cf. al-Jāḥiẓ, *Burṣān*, 265.

> persist by the hope that he may win, but it may happen that this will not be the case and he will end up having no property left and gambling for his beard, his wives, and his children. Thereafter, he will no doubt remain poor and indigent and become the most bitter enemy of those who defeated him."[52]

Often, it is also stated that *maysir* games were held only in winter and in times of scarcity when the poor would have the greatest need.

The *maysir* verses of the poets would seem to support the charity theory. They often mention winter as the season for playing. Al-Aʿshā is credited with a verse describing some people as "those who give a guest to eat in the winter and make it obligatory for a *maysir* player (*yāsir*) to provide food for the poor."[53] This at least is the interpretation of the verse indicated by Ibn Qutaybah. Of doubtful value as evidence for *maysir* as a charity appear to be verses such as the one from the satirical poem in which Ghassān b. Dhuhayl attacks Jarīr by blaming the Kulayb for being so stingy that "they slaughter a sheep only at (*bi*)-*maysir*."[54]

While it would be natural to suspect that the charity aspect of *maysir* was invented in order to explain the Qurʾānic reference to the "uses" of the game, such suspicion is probably groundless. However, there can be no doubt that the need for an explanation of the Qurʾānic passage was the reason why the sources tend to give the impression that charity was almost the sole purpose of *maysir* games. Be this as it may, we have here a forerunner of the widespread modern phenomenon of giving gambling the veneer of respectability by linking it to charitable undertakings. If we can believe modern authors, the first money lottery was held in Florence in 1530,[55] and only "as early as 1660 a Captain Thomas Gardiner recognized that he could smooth his path to fortune by dressing his gambling business in charitable garb," namely, the use of its proceeds for ransoming English slaves in Northwest Africa.[56] But it is also said that the earliest recorded lottery was held in Bruges in 1466,

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[52] Cf. Fakhr-ad-dīn ar-Rāzī, *Mafātīḥ*, VI, 50, XII, 80.

[53] Cf. Ibn Qutaybah, *Maysir*, 44, cf. R. Geyer's edition of al-Aʿshā's *Dīwān*, 107 (London 1928, *E. J. W. Gibb Memorial Series, N. S.* 6). See also above, Ch. II, n. 121.

[54] Cf. Jarīr, *Dīwān*, I, 135 (Cairo 1313); at-Tawḥīdī, *Imtāʿ*, III, 9.

[55] Cf. E. E. Blanche, in Ploscowe and Lukas (eds.), *Gambling*, 71.

[56] Cf. A. Rubner, *The Economics of Gambling*, 30 (New York 1966). Not surprisingly, the modern Muslim view on the legality of the use of lotteries to raise money for charitable projects is negative, cf. *Majallat al-Azhar*, 1382/1962, 522 (I owe this reference to H. Lazarus-Yafeh).

for the purpose of raising money for the poor.[57] At any event, the Muslim references go back to much older times.

Regardless of how serious and important a matter it was that the Qur'ān spoke of the sin of wine and *maysir* as being greater than their usefulness, the statement did not escape the disrespectful wit so often encountered among those who chafed under the unrelenting exposure to the words of holy scripture to which they had to submit. The great humorist Abū l-'Aynā', whom we have already met as a bettor on chess games,[58] is said to have compared two prominent contemporaries to wine and *maysir*, since, he said, their sin was greater than their usefulness.[59] On the minds of serious scholars, however, there was another problem that required consideration. They felt obliged to ponder the historical circumstances that might have brought about the prohibition of wine and *maysir* as expressed in 5:90-91/92-93. The reference to "hostility and hatred" appeared to them to provide a clue. Again, much more was said about the quarrels that allegedly led to the prohibition of wine. As for *maysir*, aṭ-Ṭabarī offers only a vague statement about "men in the *jāhilīyah* who used to gamble for their women folk and property, and then sit there penniless and deprived, seeing their property in somebody else's hand, something that used to engender hostility and hatred among them."[60] Not even a legend, naming names and giving details, was available to him for explaining the prohibition of *maysir*. But eventually he realized that he also had no more reliable evidence in the case of wine. Thus, he very wisely concluded:

> "The Qur'ān interpreters hold different opinions as to why this verse was revealed. It is possible that it was revealed because of 'Umar's prayer (for a clear divine decision) with respect to wine.[61] It is also possible that it was revealed because of what happened to Sa'd (b. Abī Waqqāṣ) at that hands of that Anṣārī, when both were intoxicated with wine.[62] Again, it is possible that it may have been because of the hostility and hatred that someone felt toward the person who played *maysir* with him and defeated him at gambling, so that he lost his property. We have no decisive information as to what it was. However, whatever it was, the legal import of the verse affects all responsible Muslims. If they do not know why this verse was revealed, it does not

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[57] Cf. A. Wykes, *Gambling*, 230.

[58] See above, Ch. II, n. 150.

[59] Cf. Yāqūt, *Irshād*, ed. Margoliouth, VII, 65, ed. Rifā'ī, XVIII, 292, quoted by aṣ-Ṣafadī, *Nakt al-himyān*, 267.

[60] Cf. aṭ-Ṭabarī, *Tafsīr* (new edition), X, 573.

[61] Cf. aṭ-Ṭabarī, *Tafsīr* (new edition), X, 566.

[62] Cf. aṭ-Ṭabarī, *Tafsīr* (new edition), X, 569 f.

> do them any harm. Wine, *maysir*, sacrificial stones, and divining arrows are an abomination wrought by Satan. It is the duty of every responsible Muslim familiar with the verse to refrain from all those things, as God has said: 'Thus avoid it! Perhaps you may prosper.'"[63]

The legal situation created by the Qur'ān with respect to *maysir* was indeed unassailable. It showed the way which all subsequent discussion of gambling had to take. *Maysir* is strictly forbidden, and all gambling is identical with *maysir*. It is true that the legal-religious term for "forbidden" (*ḥarām*) is not employed in the Qur'ānic text. However, the reality and severity of the prohibition are indicated by context and phrasing, in the manner carefully spelled out by az-Zamakhsharī:

> "The prohibition of wine and *maysir* is expressed in various ways. Thus, the verse (5:90/92) is introduced by *innamā* (is 'indeed' an abomination).[64] Wine and *maysir* are tied to idol worship.... They are indicated to be an 'abomination,' a word which in the Qur'ān 22:30/31 is used in relation to idols. They are indicated to be the work of Satan from whom there comes nothing but pure evil. There is the command to 'avoid.' Also, avoidance is indicated to belong to prosperity, and if avoidance means prosperity, then commission means failure and absence of prosperity. The destructive result of wine and gambling is mentioned, namely, the occurrence of mutual hostility and hatred among wine drinkers and gamblers, as is the fact that they lead to barring from the remembrance of God and the observance of the prayer times. And 'thus, would you not want to stop it' is the most effective way to express desisting. It is as if it were said: Now that all the different kinds of impediments and restrictions affecting wine and *maysir* have been recited to you, would you not, in view of them, stop it or would you stick to your old ways as if you were not exhorted and warned?"[65]

The word *ḥarām* does also not occur in the *ḥadīth* quoted at the beginning of this chapter, which expressly used the word "gambling" (*qāmara*). The *ḥadīth* as such raised important problems of a general nature. Did it imply that a resolution (*'azm*) firmly rooted in the heart—as against a fleeting idea—to commit a sin is itself a sin, or did it indicate that encouraging (*du'ā'*) someone to do something prohibited (*ḥarām*) such as gambling, which could also be construed as agreement (*wāfaqa*) to his gambling, constituted itself something *ḥarām*? The stipulated contribution to charity required

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[63] Cf. aṭ-Ṭabarī, *Tafsīr* (new edition), X, 574.

[64] For *innamā* "only" used for emphasis ("indeed"), cf. H. Reckendorf, *Arabische Syntax*, 129 f. (Heidelberg 1921); Lane, 110b-c. In the translation given at the beginning of the chapter, "indeed" has been omitted as unnecessary.

[65] Cf. az-Zamakhsharī, *Kashshāf*, I, 433.

explanation. Could it perhaps consist of the property which one intended to risk in gambling, so that the intended frivolous expenditure of property in gambling would turn out to be a real and serious expenditure for charity? Or rather, could it be understood as an atonement for a statement made (or for a false oath)?[66] Whatever problems of interpretation the *ḥadīth* raised, it did not leave any doubt that gambling was a sin whose gravity was underlined again by mentioning gambling in the same breath with idolatrous talk, which constituted a grave sin, even if it was done only by inadvertently falling into ingrained speech patterns.

Both Qur'ān and *ḥadīth* were explicit enough to make the task of jurists who had to deal with potential gambling activities a comparatively simple one. A certain practical difficulty resulted from the fact that most gambling activities could as well be undertaken without accompanying gambling. But basically, if a given activity could be declared to be, or in some way be defined as, *qimār*, it was clearly illegal. A further consideration was the potential interference of games, with or without gambling, with the proper behavior of responsible Muslims and their proper performance of the religious duties. While this might not make a game as such subject to legal sanction, it affected the *murūwah*, character, and probity (*'adālah*) of the player. If he was not found to be an *'adl*, he was not acceptable as a witness; in the recurring phrase, "his testimony (*shahādah*) was not accepted (acceptable)," or "was rejected." Similarly, Judaism had decided much earlier that dice players as well as pigeon fanciers were not qualified to be witnesses or judges.[67] Closely connected with the danger inherent in all games that they may lead to neglect of the religious duties is the danger they present of leading to the occupation with something to be characterized as "worthless frivolity" (*bāṭil*). Especially if such worthless frivolity involves property transactions of any sort, it clearly falls under the Qur'ānic prohibition stated in 4:29/33. In connection with this passage, the commentators quite often mention gambling as an example, among others, of *bāṭil*, but whether they do or do not, gambling being *bāṭil* hurts an individual's standing in the eyes of the

[66] Cf. Ibn Ḥajar, *Fatḥ*, X, 256, XIII, 131, 355, XIV, 343.

[67] Cf. *Mishnā Sanhedrin*, III, 3; Landman, in *Jewish Quarterly Review*, LVII (1966), 299 f.; al-Qirqisānī, *Anwār*, ed. L. Nemoy, 26 (New York 1939-1943).

law.[68] It is under these basic aspects that the problem of *qimār* is usually viewed by jurists. They shall find some further illustration in the following pages.

Exceptionally, we encounter other lines of reasoning in connection with gambling activities. Thus, the argument against animal fights organized by human beings rests upon the highly humane attitude of Islam toward cruelty to animals. The Prophetic tradition against *taḥrīsh* led the way.[69] And it was argued that since the animals would cause pain to and hurt each other, in a way a man would not be allowed to hurt and cause pain to them with his hands, all kinds of animal fights are forbidden.[70]

Another argument surfaced in the discussion of pigeon racing. Since the training of pigeons took place on the roofs of houses, it might afford the pigeon fancier a free view over other houses and the women living there and was therefore objectionable.[71] An uncharacteristically generous position was taken by al-Ḥalīmī:

> "Playing with pigeons is different, because the pigeons play by themselves; it is not that their owner plays with them. It may be disapproved only inasmuch as, since it takes place on the roofs of houses, the owner of the pigeons cannot be trusted not to overlook the houses and women of his neighbors. Therefore, it may be prohibited. But if that immorality *(fasād)* is not involved and the owner of the pigeons does not constantly engage in (the sport) and is not distracted by it from the remembrance of God and prayer and if thus the only thing that happens is that he lets the pigeons fly and, when they do so and play in the air, watches them flying and likes to observe them doing so, then there is nothing forbidden here. And God knows better."[72]

There are also occasional references to special applications of the gambling laws. They had their measure of importance, although they are of no great interest in our context. Thus, it might have been interesting to Taqī-ad-dīn as-Subkī to thrash out the question

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[68] The attitudes prevalent in his Muslim environment are reflected in Maimonides's objection to gambling as something of no worldly use and detrimental to the study of the Torah, cf. Landman, in *Jewish Quarterly Review*, LVII (1966), 304 f.

[69] See above, Ch. II, n. 235.

[70] Cf. the Shāfi'ite al-Ḥalīmī (338-403/949-50-1012), *Minhāj*, Mss. Istanbul Topkapısarayı Ahmet III 930, fol. 152a, Ahmet III 500, Vol. III, fol. 40a, Beyazit Umūmī 1628, fol. 247a; ad-Damīrī, *Ḥayawān*, II, 296; Ms. Dublin Chester Beatty 4759, fol. 23b.

[71] Cf., for instance, the Ḥanafites as-Sarakhsī, *Mabsūṭ*, XVI, 131 f. (Cairo 1324-1331), and al-Marghīnānī, *Hidāyah*, ed. Abdool Mujeed, III, 376 f. (Calcutta 1831-1834), trans. C. Hamilton, 2nd ed., 361 f. (London 1870).

[72] Cf. al-Ḥalīmī, *Minhāj*, Mss. Istanbul Topkapısarayı Ahmet III 930, fol. 152b, and Ahmet III 500, Vol. III, fol. 39a.

as to whether it was lawful for a Shāfi'ite, who considered chess permissible, to play with a Ḥanafite, who considered it forbidden.[73] It is understandable for Qāḍīkhān to express the view that "there is nothing wrong with a Muslim who gambles with polytheists in non-Muslim territory (*dār al-ḥarb*) and takes property away from them"; it may, however, seem to us a bit strange that he gave no passing thought to the unpleasant possibility that the Muslim might lose to the polytheist. Of much greater practical importance was Qāḍīkhān's view that the sale of implements needed in *nard* and chess and other games belonged in the category of invalid types of sales. Destroying such implements, if it was done on a judge's orders, did not make the individual who did it liable to pay compensation. If it had not been ordered by a judge, he was to be held liable.[74] This provided a certain amount of protection against the excesses of fanatics, unless, of course, it happened that the judge himself was a fanatic. Such excesses were not uncommon in connection with wine, and occasionally, they may have extended to gambling.

Chess and *nard* enjoyed a special position in the jurists' discussion of gambling. Not only were they the games that would continue to be played throughout Muslim history and on all levels of society. They had also been played already in the earliest times of Islam. Thus, the early generations of Muslims, who were always invoked as authorities for setting legal precedents, had had the opportunity to observe them. With all due skepticism as regards the genuineness of those traditions and stories and in full awareness of the possibility that they might have been invented in order to provide support for later attitudes toward the games,[75] they cannot be completely dismissed as historical evidence. All forms of amusement tend to have a rapid spread, once the road to migration becomes open to them. Chess and *nard* might easily have fascinated some distinguished early Muslims as soon as they learned about them. They might even have been the fashionable thing among the aristocracy, before they reached wider circles and thereby became a debatable pastime. In its formative stages, Arabic literature would not have taken notice of their existence, as games and similar everyday

[73] Cf. as-Subkī, *Fatāwī*, II, 635 f. (Cairo 1355-1356).
[74] Cf. Qāḍīkhān, *Fatāwī*, IV, 587, and II, 329.
[75] Cf. Wieber, *Schachspiel*, 48 ff.

matters were never readily noticed except incidentally and in circumscribed situations. In sum, while prudence dictates that here as elsewhere we eschew facile credulity, it cannot be determined exactly how far our skepticism should go. Nearly everything in Muslim history before the ninth century is surrounded by much uncertainty. Not surprisingly, the history of games is no exception. All we can say is that it is not excluded that the traditions prove the existence of chess and *nard* in seventh-century Arabia and other parts of the newly conquered Muslim world. Whatever we may think of their genuineness, they definitely point to a time no later than the early eighth century. It is significant that the word *shiṭranj* "chess" does not occur in the authoritative collections of traditions, while *nard*/*nardashīr* does so repeatedly. This may reflect the fact that it was known that chess was not played in the environment of the Prophet to any noteworthy extent, if at all, while a game that either was the Persian *nard* or could be considered without any great difficulty as equivalent to it enjoyed a certain vogue already in the Prophet's Arabia.

The history of the struggle for and against chess is richly documented in the sources and much discussed in the scholarly literature. It requires no further detailed exposition here. Traditions were invented with a liberal use of the imagination. *Nard* traditions were extended to include chess. Thus, both games were branded by ʿAlī as the *maysir* of the non-Arabs, alluding to their Persian connection. Another constantly reiterated saying attributed to Ibn ʿUmar declared chess to be worse than *nard*.[76] Others took the opposite view. A more subtle touch was to make ʿAlī inquire what those "figures" (*tamāthīl*) were which he saw chess players use, thus connecting chess with the prohibition against pictorial representation.[77] And again it was ʿAlī who was credited with what must have started out as a joke but then was taken seriously as an indication of the moral turpitude of chess players, namely, that they were the greatest liars on earth, because they spoke of "killing" and "dying" (*māt*) when nothing of the sort was going on.[78] While such attributions to men like ʿAlī and Ibn ʿUmar deserve no credence, the anec-

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[76] See below, pp. 167 f.

[77] Cf., for instance, Pareja Casañas, *Libro del Ajedrez*, text 9, trans. 4 f.; adh-Dhahabī, *Kabāʾir*, 88; Ibn Taymīyah, *Fatāwī*, II, 8, 15, IV, 308 f.; Ibn Ḥajar al-Haytamī, *Zawājir*, II, 190.

[78] Cf. adh-Dhahabī and Ibn Ḥajar al-Haytamī, *loc. cit.* (n. 77).

dotes depicting ash-Shaʿbī (d. ca. 103-106/721-725) and Saʿīd b. Jubayr (d. 95/714) as dedicated chess players can possibly claim some historicity as dimly recollected facts.

Both the legal and the general attitudes either pro or con sought justification for themselves, on the one hand, in the game's usefulness for improving the mind and teaching military strategy and, on the other, in its being too engrossing and causing neglect of the remembrance of God and prayer and other religious duties (as stated in the Qur'ān in connection with *maysir*). It was naturally easy for diehard chess haters to play down the mind improving qualities of chess and to invent statements against its alleged military usefulness. The Shāfiʿite Isḥāq b. Rāhawayh (d. 237-238/851-853), when told that the defenders of the Muslim frontier regions were playing chess because of (its usefulness for learning about strategy in) war, replied that whatever it was, the game was anyhow immoral and all bad.[79] About a century and a half later, another Shāfiʿite, al-Ḥalīmī, argued against chess in what seems to have been a rather unusual manner. ʿUmar's alleged approval of chess as a war game, he says, means only that ʿUmar approved of war instruments in general, and *if*, as he was told, chess was indeed an instrument of war, he would approve of it, but, in fact, it is just an amusement. Furthermore, chess cannot be properly compared with horse racing and archery as suitable means of training for war. If it were comparable to them, it would be permissible to play it for stakes, which, by general agreement, it is not.[80] The fifteenth-century as-Sahkhāwī praised chess in one place, but, in another, he decried its usefulness for war, because that was not its purpose, which was playing and gambling for luck (*ʿalā sabīl at-tabarruk*).[81] And those who felt like making fun of the supposed usefulness of chess as a royal game would say that its aim was not to increase military knowledge, so as to be better able to serve the king in war, but to get the king out of the way, a statement that did not fail to have the desired effect of making the audience laugh.[82]

Even for Mālikites inclined to consider every game as worthless frivolity, a mitigating circumstance was adduced in the case of

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[79] Cf. adh-Dhahabī and Ibn Ḥajar al-Haytamī, *loc. cit.* (n. 77).

[80] Cf. al-Ḥalīmī, *Minhāj*, Mss. Istanbul Topkapısarayı Ahmet III 930, fols. 150b-151a, and Ahmet III 500, Vol. III, fols. 38b-39a.

[81] Cf. as-Sakhāwī, *Shiṭranj*, fols. 37b, 30b.

[82] Cf. al-Qurṭubī, *Jāmiʿ*, VIII, 339.

chess. It was not so bad, if it was played in private and attracted no public notice. The attitudes of the various legal schools were described by al-Qurṭubī in these words:

> "If chess is not used for gambling, the Mālikites and most jurists have come to hold the view that in such a case, if a man plays chess in the privacy of his home with his family once a month or once a year and does it unobserved and is not known (as a chess player), he may do it. He is not forbidden to play, and it is not considered as disapproved for him. But if he devotes himself *(takhalla'a)* to it and becomes a chess player, he loses his true manliness *(murūwah)* and probity *('adālah)*, and his testimony is not acceptable. Shāfi'ites hold that the testimony of a *nard* and chess player is not void, if, in general, he is an *'adl* and it is not apparent that he is stupid, or suspect, or commits major sins, unless he uses the game for gambling. If he does so and becomes known for it, he loses his probity and it is apparent that he is stupid, because he consumes property with worthless frivolity. Abū Ḥanīfah says that playing chess, *nard*, and *fourteen* as well as every kind of amusement is disapproved. If it is not apparent that the player commits major sins and his good (qualities) outweigh his bad (qualities), (Ḥanafites) consider his testimony acceptable."[83]

In contrast to chess, it was moot whether *nard* could ever be considered legal, even if no gambling was connected with it.[84] It found no stout defenders within the ranks of jurists and religious scholars. A collection of about sixteen of the common anti-*nard* statements attributed to ancient Muslims can be found already in the *Muṣannaf* of Ibn Abī Shaybah (who is much briefer with respect to chess).[85] The succinct exposé contained in Ms. Dublin Chester Beatty 4759, fols. 20b-21b, tells nearly the entire story. Its author, unidentified so far,[86] relied for his *ḥadīth* material on Ibn

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[83] Cf. al-Qurṭubī, *Jāmi'*, VIII, 337 f.

[84] Abū Hurayrah equated gambling at *nard* with eating pork, playing *nard* without accompanying gambling with putting one's hand into the blood of pigs, and looking at it ("kibitzing") with looking at pork, cf. al-Bukhārī, *al-Adab al-mufrad*, 328, where another authority is said to have made the first two points with respect to playing "with the two dice." Sa'īd b. al-Musayyab is supposed to have declared *nard* without gambling "unobjectionable" *(lā ba's bih)*, cf. az-Zamakhsharī, Rabī', fol. 87b. See also below, n. 93, for Ibn 'Umar's statement speaking of possibly playing *nard* without accompanying gambling, etc. The Ḥanafite al-Marghīnānī, the author of the *Hidāyah*, was quoted by Ibn Kamālpāshā, *Rasā'il*, 86, as considering the possibility of chess, *nard*, and *fourteen* being played without gambling, but as far as I can see, al-Marghīnānī, *loc. cit.* (n. 71), speaks only of chess and *nard* and condemns *nard* with and without gambling.

[85] Cf. Ibn Abī Shaybah, *Muṣannaf*, fols. 71b-72a.

[86] The title-page of the manuscript calls the work an excerpt from the *Kitāb ath-Thamar* (Ms. *at-tamr*) *ar-rā'iq al-mujtanā min al-Ḥadā'iq*, com-

Abī d-dunyā more than his passing reference to this famous ninth-century moralist would seem to indicate:

> "Sulaymān b. Buraydah (d. 105/723-724) < his father < the Prophet: 'If one plays *nardashīr*, it is as if he had dipped his hand into the flesh and blood of a pig.' A tradition transmitted only by Sulaymān.[87]
>
> Abū Mūsā al-Ash'arī (d. 42-52/662-672): 'He who plays *nard* is disobedient to God and His Messenger."[88] Transmitted by *ḥd* (Aḥmad b. Ḥanbal), *d* (Abū Dāwūd), *q* (Ibn Mājah al-Qazwīnī), and Mālik in the *Muwaṭṭa'*.
>
> Abū Mūsā heard the Messenger of God say: 'Nobody rolls (the game's) dice, waiting to see what they will bring, without (thereby) being disobedient to God and His Messenger.' An unusual *(gharīb)* tradition, transmitted by Ibn Abī d-dunyā, with a chain of transmitters whose soundness is known only to God. It means that a person who plays *nard* with dice and throws the dice, waiting to see what victory and success will come for him from them, is a gambler, and a gambler is wicked *(fāsiq)*.
>
> Ibn Mas'ūd (d. 32-33/652-654) said that he heard the Messenger of God say: 'He who plays *nard* and then gets ready to pray is like one who uses pus and the blood of pigs for his ablution and then gets ready to pray. God does not accept his prayer.'[89]
>
> (Ibn Mas'ūd?) said that the Messenger of God said: 'Fear those two tattooed[90] dice (marginal note: meaning, chess and *nard)* that serve for augury, for they are the *maysir* of the non-Arabs (Persians).'[91] The dice are called 'tattooed' because of their black pips, looking like a tattoo. 'Serve for augury' means that they bring out a share without rhyme or reason.[92] It happens by chance, as is the case with the augurer who takes bird sounds as an omen and is right or wrong without rhyme or reason.
>
> These traditions, even though their chains of transmitters show some weakness, mutually strengthen and confirm each other.
>
> Ibn 'Umar: 'A person who plays *nard* with accompanying gambling is

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prising the chapters on sins, *ḥudūd*, and *'uqūbāt*. I do not know which *Ḥadā'iq* are meant. For Ibn Abī d-dunyā, cf. his *Dhamm*, 32 f., 54 ff.

[87] Cf. *Concordance*, VI, 405a13-14; al-Bukhārī, *al-Adab al-mufrad*, 327. For a remark on this endlessly quoted tradition, cf. Ibn Qayyim al-Jawzīyah, *Badā'i' al-fawā'id*, III, 198 f. (Cairo, *n. y.* [ca. 1925]).

[88] Cf. *Concordance*, VI, 405a13-14; al-Bukhārī, *al-Adab al-mufrad*, 327 (twice). For the variant *ki'āb* to designate *nard*, cf. Ibn Ḥanbal, *Musnad*, IV, 392 (Cairo 1313); *Concordance*, VI, 24b62-63. The variant suggests the possibility that *nard* in all these traditions was substituted for an original, genuinely Arabic *ki'āb* or the like.

[89] Cf. Ibn Ḥanbal, *Musnad*, V, 370; *Concordance*, VI, 405a15.

[90] Ibn Abī d-dunyā's *mash'ūm* "inauspicious" (if this is indeed what is found in the manuscript of *Dhamm*) is wrong, as is *marsūm* "marked" found in the printed text of Ibn Ḥajar al-Haytamī, *Zawājir*, II, 188, even though it yields the required meaning. *Mawsūm* "branded" appears in the printed text of al-Bukhārī, *al-Adab al-mufrad*, 327.

[91] Cf. Ibn Ḥanbal, *Musnad*, I, 446; *Concordance*, VII, 369b37. The following explanation appears in the manuscript after the next paragraph.

[92] Lit., without right and on the basis of no principle.

like one who eats pork, and a person who plays it without accompanying gambling is like one who uses the grease of pigs to anoint himself.'[93]

Ibn az-Zubayr (d. 73/692) said: 'I swear by God that nobody who played it was ever brought before me but I punished him at his hair or skin and gave his spoils to the one who brought him before me.'[94] The 'hair' business means things such as shaving off the hair (as a humiliating punishment) and the like. The 'skin' business means things such as beating and the like.

When 'Ā'ishah learned that people were playing *nard* in her domicile, she sent them the following message: 'They should either throw it out, or the people in the house who had it should leave.'[95] 'In her domicile' means, in the section of town *(maḥallah)* where her house was located.

When Masrūq (d. 62-63/681-683) was told that we often had free time and then played it—namely, *nard*—, he said: 'This is not what a person with free time has been commanded to do.' Meaning, a person with free time who is not occupied with the business of this world must use his free time to proceed to worshiping God, and not to playing.

Playing *nard* is forbidden *(ḥarām)* according to Abū Ḥanīfah, Mālik, Aḥmad, and most Shāfi'ites.

When Sa'īd b. Jubayr (d. 95/714, known, as we have seen, as a chess player) passed by some *nard* players, he did not greet them.[96]

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[93] The second part of the statement occurs in Ibn Abī d-dunyā, who adds another statement on the authority of Yaḥyā b. (Abī) Kathīr to the effect that he (Ibn 'Umar?) passed by *nard* players and exclaimed: "Neglectful hearts, busy hands, and babbling tongues." Ibn Ḥajar al-Haytamī, *Zawājir*, II, 188, attributes this remark to the Prophet. On Ibn 'Umar's aversion to *nard*, see also above, Ch. II, n. 173.

[94] Cf. al-Bukhārī, *al-Adab al-mufrad*, 328, in a speech by Ibn az-Zubayr to the Meccans.

[95] Other versions of the story phrase the message more clearly. They are found, for instance, in Mālik, *Muwaṭṭa'*, IV, 356: "If you do not throw it out, I shall throw you out." Cf. also al-Bukhārī, *al-Adab al-mufrad*, 327; al-Balādhurī, *Ansāb*, ed. Hamidullah, I, 418; Ibn Taymīyah, *Fatāwī*, II, 11.

[96] The severe sanction of refusing the *salām* to those "playing with divination arrows, meaning chess and *nard*, "is said to have been ordered by the Prophet, cf. adh-Dhahabī, *Kabā'ir*, 89; Ibn Ḥajar al-Haytamī, *Zawājir*, II, 189; Wieber, *Schachspiel*, 153, 170. According to al-Bukhārī, *al-Adab al-mufrad*, 326, 'Alī confined those playing *nard* for money *(yu'āmilūn bi-l-warq)* for a full day and those who played for fun for half a day. He also forbade to extend the *salām* to them. The two stories against extending the *salām* reported in Ibn Abī Shaybah, *Muṣannaf*, fol. 72b, do not go back to the Prophet either, as is only to be expected.

Mālikism did not object to extending the *salām* to chess and *nard* players, while disapproving of kibitzing as *makrūh*, cf. Ibn Abī Zayd, *Risālah*, ed. trans. L. Bercher, 3rd ed., 324 f. (Algiers 1949).

Ibn Taymīyah, *Fatāwī*, II, 9, mentions as those disapproving of giving the *salām* Abū Ḥanīfah, Ibn Ḥanbal, and Mu'āfā b. 'Imrān, while those who had no objections were Mālik and the Ḥanafites Abū Yūsuf and Muḥammad ash-Shaybānī. Ibn Taymīyah (*Fatāwī*, II, 22) also considers kibitzing as an illegal activity, as is, in his view, being present when others are drinking wine; the same applies to buying or renting gambling paraphernalia and acting as

> He who plays it repeatedly is not an acceptable witness, whether or not he plays for gambling purposes. This is what Abū Ḥanīfah,[97] Mālik, and Aḥmad have stated. It is also the obvious implication of Shāfiʿite teaching *(ẓāhir madhhab ash-Shāfiʿī)*."

The legal attitude as established in connection with chess and *nard* was extended to other board games such as *fourteen* or merels. For chess, and the one or other of the board games, the classification as *makrūh* "disapproved" was occasionally upheld, as in Mālik's *Muwaṭṭaʾ* and ash-Shāfiʿī's *Umm*. Mālik's attitude is clarified in Saḥnūn's *Mudawwanah* to the effect that Mālik considered chess as worse than *nard* and any chess playing, whether little or much, as *makrūh*. But he who plays it constantly is not an acceptable witness, whereas the person who plays it once in a while, if he is otherwise an *ʿadl*, may be acceptable as a witness.[98] Ash-Shāfiʿī's attitude toward games in general is more interesting, since it was interpreted as allowing of a slightly greater flexibility. As far as the testimony of players and their functioning as witnesses are concerned, he declares *nard* more *makrūh* than any other form of amusement (*malāhī*), while chess is not liked (*ḥ-b-b*) but less grave than *nard* (thereby taking a stand against the tradition referring to chess as more detrimental than *nard*). *Ḥizzah* and all other games are *makrūh*, since play is not what Muslims do, and it is not true manliness.[99] When a person considers a game allowed and not forbidden and does a certain (small) amount of playing, his testimony is not automatically rejected. From the legal point of view, the crucial element is the punctual observance of the prayer times. If a person allows the time for prayer to pass without praying, because he is engrossed in the game, and does this twice, it indicates disrespect (*istikhfāf*) for his duties with regard to prayer. He is then to be rejected as a

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a *mudhabdhib* who helps one of the two parties in a game. The *mudhabdhib* appears to be someone who tries to distract the opposing party on behalf of the side he favors, rather than someone who advises a player what moves he should make.

[97] According to the Ḥanafite Qāḍīkhān, *Fatāwī*, III, 321, a chess player who plays constantly so as to become diverted from performing his prayers or who perjures himself with respect to it is not an acceptable witness. And for the Ḥanafite al-Kūhistānī, *Jāmiʿ ar-rumūz*, II, 242, a chess player may be an acceptable witness, if he fulfills three conditions: (1) No gambling must be involved. (2) Prayers must not be missed. And (3) there must not be perjury in connection with it (see below, Ch. V, n. 84). Professional chess playing definitely has an adverse effect upon a person's standing as an *ʿadl*.

[98] Cf. Saḥnūn, *Mudawwanah*, XIII, 3 (Cairo 1323). Cf. also Ibn Qayyim al-Jawzīyah, *Furūsīyah*, 23.

[99] See above, Ch. II, n. 3, and, for *ḥizzah*, Ch. II, n. 176.

witness, as would be anyone who does not pray without being able to offer the excuse of forgetfulness or temporary mental malfunction. The objection might be raised that a player could use this excuse in his defense. It could be said that he does not miss the prayer on account of the game but on account of forgetfulness. Ash-Shāfiʿī disposes of this argument by pointing out that forgetfulness is a psychological phenomenon that rests entirely in the individual himself and cannot be prevented or forbidden by outsiders; thus, even if it has something bad as its consequence, it is not a sin. The player, on the other hand, learns from experience that it is the game that may cause his forgetfulness. Having acquired this experience the first time around, it is entirely within his power not to play again, and he must not do it. Ash-Shāfiʿī adds a brief remark on the other three kinds of play, as defined in the well-known *ḥadīth*.[100] For him, they are no real "play," and thus furnish no analogy applicable to games. The observance of ritual prayer as a prescribed duty, he concludes, has precedence over supererogatory prayer, the recital of the Qur'ān, and study; none of that should distract an individual to such an extent that he lets the time of prayer pass.[101]

This basic text of Shāfiʿism was in the mind of Ibn Ḥajar al-Haytamī when he referred to the *Kitāb al-Umm* as proof that playing *nard* is *ḥarām*, the player a *fāsiq*, and his testimony to be rejected. Ibn Ḥajar al-Haytamī quotes many authorities and their works as having been of this opinion. According to him, the majority opinion considers playing *nard* a major sin (*kabīrah*). However, the discussion by such men as ar-Rāfiʿī permits the contention that it should be classified as a minor sin (*ṣaghīrah*), if only repeated playing makes a person unfit to be a witness. As summed up by az-Zarkashī, there were four possible ways of looking at the matter: (1) *Nard* is disapproved and therefore to be avoided (*makrūh karāhat at-tanzīh*) but not forbidden (*ḥarām*). Many have held this opinion. While, at least for us, it seems indeed to conform to ash-Shāfiʿī's own statement, there are precedents for taking *makrūh* to mean *ḥarām*.[102] (2) It is a minor sin. (3) It is *ḥarām* and a major sin. And (4) regional differences have to be acknowledged. Where it is considered a

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[100] See above, Ch. II, nn. 76, 234.

[101] Cf. ash-Shāfiʿī, *Umm*, VI, 213.

[102] Al-Qalqashandī, *Ṣubḥ*, II, 141, prefers *taḥrīm* but admits that there are Shāfiʿites who consider *nard makrūh*.

grave matter, a person becomes unacceptable as a witness for playing just once. Where this is not so, this is not the case.[103]

The acknowledgment of the existence of regional differences in the attitude toward *nard* is the most interesting aspect of the discussion, and we would have liked to hear more about it. But the discussion as a whole makes it fully obvious that behind the brave assertion that the game was *ḥarām*, and the apparent conviction that it ought to be outlawed, there was the reality of its wide spread and popularity that had to be reckoned with by the jurists.

Gambling, that is, playing for money, remained forbidden and was not subject to discussion, but clearly, there was no practical way to prevent it except by eliminating playing as such. Shāfi'ism was opposed to gambling. Yet, it could not escape the libertine poet's gibe that "one of the imāms, ash-Shāfi'ī, says, 'Playing chess is not *ḥarām*.'" Considering that the other three imāms showed similar chinks in their legal armor, the poet therefore pretended to have the right to exhort everybody to

> **Drink, commit pederasty, whore, gamble, and use as**
> **Argument in each case the statement of an imām.[104]**

The verses inspired the littérateur as-Sāmarrī, who died, in his eighties, in 696/1296-7, to a satirical poem directed against Jamāl-ad-dīn Ibn al-Yazdī. The pretext for the poem was that Judge Ṣadr-ad-dīn Ibn Sanī-ad-dawlah[105] had declared Ibn al-Yazdī an *'adl*, bestowed a judicial robe (*ṭaylasān*) upon him, and admitted him to serve as an official witness (attorney):

> It is all right to drink wine in Ramaḍān
> And to play the lute at the time of the *adhān*
> And to whore with women and boys in God's sanctuary
> And to omit prayer accompanied by reading the Qur'ān,
> Now that al-Yazdī, in the streets of Damascus,
> Makes the rounds of the bars *(ḥānāt)* in his *ṭaylasān*.
> Now I am entitled to be a prophet
> And to have as a friend of mine at-Tilimsānī.[106]

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[103] Cf. Ibn Ḥajar al-Haytamī, *Zawājir*, II, 188 f.

[104] Cf. Nashwān al-Ḥimyarī, *al-Ḥūr al-'īn*, 261 f. (Cairo 1948); Ṭāshköprüzādeh, *Miftāḥ as-sa'ādah*, I, 49 f. Ṭāshköprüzādeh refers to related verses on wine attributed to Abū Nuwās.

[105] Aḥmad b. Yaḥyā b. Sanī-ad-dawlah (not Sanā') (590-658/1194-1260) was chief judge of Damascus. The exact lifetime of Ibn al-Yazdī is not known to me.

[106] The reference may be to the Mahdī expected to appear in Northwestern Africa, possibly to some contemporary pseudo-Mahdī from Tlemcen.

O you *'adl*s of Damascus! The judge has generously
Bestowed safety from prosecution upon his friends.
Gamble, drink, pander, and commit
Pederasty, wickedness, and heresy in safety!
Do no longer try to keep wickedness under cover,
For there is no need any longer for secrecy.

The verses, it should be reported, had the desired effect of making the judge forbid Ibn al-Yazdī to function as a witness, but Ibn al-Yazdī succeeded in getting back into the good graces of as-Sāmarrī, who then wrote a poem somewhat ironically retracting his accusations.[107] The reference to gambling here is casual, but it deserves notice, since gambling was often omitted from such catalogues of immoral activities.

Even on a supposedly more scholarly level, Mālikite school bias could suggest that some Shāfi'ites declared board games (chess?) permitted, and this led to playing the game in *madrasah*s, and if a student was not able to recite the Qur'ān, he even played in the mosque; they also falsely stated, the Mālikites said, that the men around Muḥammad and the men of the second generation were players.[108]

The situation with respect to sporting games was very different from that of board and related games, in that they were expressly allowed and encouraged by *ḥadīth* and *sunnah*, at least as far as horse racing, camel racing, and shooting were concerned.[109] For the ancient Romans, sports were a *virtus* which excepted them from any prohibition of gambling.[110] They remained part of a Muslim's *murūwah*. Their military usefulness was so obvious that "shooting and racing" (*an-niḍāl wa-s-sibāq*) could stand for "battle."[111] Since war was understood to be an activity directed against

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A reference to the poet Ibn al-'Afīf at-Tilimsānī (661-688/1263-1289) would presuppose that the judge was not Ṣadr-ad-dīn but his son Najm-ad-dīn Muḥammad (616-680/1219-20-1281) and that there was a story making the rounds of young Ibn al-'Afīf having mystical and messianic aspirations.

107 Cf. al-Kutubī, *Fawāt*, I, 123.

108 Cf. al-Qurṭubī, *Jāmi'*, VIII, 339, quoting Ibn al-'Arabī's *Qabas* (on the *Muwaṭṭa'* of Mālik). A manuscript of the *Qabas* is preserved in Fez, cf. J. Schacht, in *Études d'Orientalisme... Lévi-Provençal*, 282 (Paris 1962).

109 See above, p. 46; *Concordance*, I, 480a16-18. For the traditional material, cf. Ibn Abī Shaybah, *Muṣannaf*, fols. 98a-101b.

110 Cf. *Der kleine Pauly*, *s.v.* alea (Stuttgart 1964—).

111 Cf. *Arabian Nights*, ed Macnaghten, IV, 140, trans. Littmann, V, 490 (28th night).

unbelievers, they served the cause of Islam. In order to illustrate the proposition that whenever God forbade something, He replaced it with something better, Ibn Qayyim al-Jawzīyah states that "He forbade them to gamble and substituted for it the *consumption of property* through competitions with horses, camels, and arrows *useful* for Islam."[112] The italicized words refer to Qur'ān 4:29/33 and make it clear that any money spent on such activities does not fall under the prohibition of worthless frivolity.

Some jurists supposedly argued that racing was not permitted, on the grounds that the Prophet had permitted it before gambling (*qimār*, *mukhāṭarah*) was done in connection with it. However, later it was forbidden. Their argument was refuted by reference to the fact that some traditions show that it was still considered permissible after the prohibition of gambling had been proclaimed.[113] This probably was a fictitious problem. The only gambling problem of major concern to jurists in connection with these sports was the provenience of the prize money. When does the existence of prizes indicate forbidden gambling, and when, if at all, are stakes proper and permissible? Three possibilities were regularly considered: (1) The prize is put up by a non-participant. (2) It comes from one participant. Or (3) it comes from both participants. There were many different words for the prize in old times, such as *sabaq*, *khaṭar*, *nadab*, *qaraʿ*, and *wajab*.[114] Sometimes, *khaṣl* and *nadab* appear to be thought of as restricted to shooting competitions. *Rahn* is another term which was of old used for racing stakes. *ʿIwaḍ* "compensation" became the preferred term in the legal discussion, possibly in order to indicate that the prize money was meant to compensate the participants in a competition for the expenses necessary for qualifying, or, more likely, as an ordinary term of commercial law. As a lucid exposition of the stake problem, we may quote once more the Shāfiʿite al-ʿImrānī (who, it should be noted, polemicizes against views held by Mālikites):

> "...It is permissible for the compensation to be paid by the *sulṭān* from public funds *(bayt al-māl)* or his own private funds. For Ibn ʿUmar has reported that the Prophet raced horses and put up a

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112 Cf. Ibn Qayyim al-Jawzīyah, *Rawḍat al-muḥibbīn*, 9.

113 Cf. *Faḍā'il ar-ramy*, Ms. Istanbul Veliuddin 3175, fol. 106a-b.

114 Cf. *Lisān*, II, 251, XI, 138, indicating Ibn al-Aʿrābī as his authority. The information does not appear in Ibn al-Aʿrābī's treatise on the names of famous horses published by G. Levi Della Vida. However, it could hardly be expected to be included in that treatise.

prize for them. Also, such competitions encourage the study of horsemanship and archery, resulting in greater power for waging the *jihād* and well-being *(ṣalāḥ)* for the Muslims. Mālik says that it is not permitted without being sanctioned by the imām (the authorities in power) *(li-ghayr imām)*. The proof for our view is that it is spending property in the public interest *(maṣlaḥah)*, and thus is all right without being sanctioned by the *imām*, as is the endowment of horses for the holy war *(fī sabīl Allāh)*.

It is permissible for the prize to be put up by one of the two (participants). He would say: 'I put up a prize of ten[115] for racing you *(sabbaqtuka)*; if you defeat me, they are yours, and if I defeat you, I do not owe you anything, and you do not owe me anything.' Mālik says that this is not allowed. The proof for our view is the report that the Prophet passed by two groups of Anṣār engaged in a shooting competition where one group had put up a prize for the other. The Prophet told them: 'Shoot! I am with Ibn al-Adraʿ.'[116] Whereupon the people there held back their hands and bows and said: 'O Messenger of God, the group on whose side you are will (always) win.' But he said: 'Go on shooting! I am on the side of all of you.'

It is permissible for the prize to be put up by both (participants), on condition that they enter in addition a *muḥallil* upon a horse comparable to their horses. If (the *muḥallil)* defeats them, he gets the prize, and if he is defeated, he gets nothing. If each of the two (participants) puts up property (for a prize) and they do not enter a *muḥallil*, it is not all right. Mālik says: 'It is not all right, if the property is put up by the two, regardless whether or not there is a *muḥallil* with them.' Aṭ-Ṭabarī and Ibn aṣ-Ṣabbāgh[117] say that this view was held by Ibn Khayrān. The proof for our view is the statement of the Prophet: 'When someone enters a horse in addition to the two horses and is sure that it will be defeated, that is gambling, but if he is not sure that it will be defeated, that is not gambling.'[118] 'Being sure that it will be defeated' means that the horse of the *muḥallil* is slow and cannot hope to win. This is not permitted, because then there is no difference between its being there and not being there.[119] 'Being not sure that it

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[115] The use of "ten" appears to be somehow connected with the ten camels of the old *maysir* stories (above, p. 73), but here, "ten" no doubt refers to money, and not to camels. In the heroic chess game of Masrūr and Zayn al-Mawāṣif in the *Arabian Nights* (see below, Ch. V, n. 30), the initial wager was ten dīnārs.

[116] Cf. the version of the story as it appears in the *ḥadīth* collections (*Concordance*, II, 310a24-25) and Ibn Ḥajar, *Fatḥ*, VI, 431 f.; Ibn ʿAbd-Rabbih, *ʿIqd*, I, 190. Cf. also Ibn Qayyim al-Jawzīyah, *Furūsīyah*, 4, 9, 39, 58 f.

[117] Abū ʿAlī al-Ḥasan (al-Ḥusayn) b. al-Qāsim aṭ-Ṭabarī, the author of the *ʿUddah*, died in 350/961, cf. Ibn an-Nadīm, *Fihrist*, 214; al-Khaṭīb al-Baghdādī, *Taʾrīkh Baghdād*, VIII, 87; Ibn Khallikān, II, 76; adh-Dhahabī, *ʿIbar*, II, 286. Ibn aṣ-Ṣabbāgh died in 477/1083, cf. Brockelmann, *GAL*, *Suppl.*, I, 671. Ibn Khayrān died in 310/923, or rather in 320/932, if the day of the month and the week is correctly given in al-Khaṭīb al-Baghdādī, *Taʾrīkh Baghdād*, VIII, 53 f.

[118] Cf. *Concordance*, II, 402a15-17, V, 103b55-56, II, 313a26-27.

[119] According to ad-Dimyāṭī, *Faḍl al-khayl*, fols. 88a, 90a, it would be "meaningless" *(laghw lā maʿnā lahū)*.

will be defeated' means that it is equivalent to the other two, as one may hope that an equivalent horse may win."[120]

Mālikites viewed the situation as follows: (1) It is generally permissible for the prize to be put up by one of the participants. If he wins, the prize is to be consumed (*ṭu'mah*) by those present. If there are more than two participants, the prize goes to the runner-up, if the participant who put up the prize wins. The prize may also be established by non-participants, such as the authorities in power (*al-imām*). (2) It is generally not permissible for both or all participants to put up prizes all of which would go to the winner. This is *gharar, qimār, maysir, khiṭār*, forbidden in the Qur'ān. (3) Opinions differ as to the permissibility for two or more participants to put up a prize to go to the winner. If the person who put up the prize wins, he gets it. Mālik disagreed. Sa'īd b. al-Musayyab considered it permissible. ('Abdallāh b. Najm) Ibn Shās (d. 616/1219) considered it not permitted, if he wins, and if he loses, it becomes *ṭu'mah* and does not belong to the winner. The *muḥallil* is definitely not permitted according to Mālik. Mālik's reason, according to Ibn al-Mawwāz (180-269/796-883, or 281/895) as quoted by Ibn Yūnus (aṣ-Ṣiqillī, d. 451/1059), was that "a prize had to be paid out in every case" (regardless as to who was the winner?, *yajib ikhrāj as-sabaq bi-kull ḥāl*). The Mālikite jurist Ibn Rushd considered the situation the same whether there was one, or more than one, *muḥallil* entered in a race or archery contest. However, if there are many *muḥallil*s and few contestants, the risk (*gharar*) is smaller, and the competition becomes more permissible in such cases.[121]

Questions of detail that had to be considered were numerous. If two participants put up prizes for a larger field, it would seem to create a situation analogous to the presence of a *muḥallil*, but this probably rarely if ever happened in practice, and it does not seem to have been discussed. If there are three or more horses in a race, the prize for second place must not be the same as that for the winner. If it is less, the preferred view is that it is permitted.[122]

The establishment of the prize by the ruling authorities (*imām, sulṭān, wālī*) was a simple matter, if the ruler himself had no horse

[120] Cf. al-'Imrānī, *Bayān*, fol. 78b. Ḥanafism as represented by ash-Shaybānī holds substantially the same view, cf. aṭ-Ṭaḥāwī (above, Ch. II, n. 213).

[121] Cf. 'Abdallāh b. Maymūn, *Ifādah*, Ms. Istanbul Köprülü I, 1213, fols. 172a-174a.

[122] Cf. ar-Rāfi'ī, *Muḥarrar*, fol. 111b.

of his own in the race. It is much more debatable what the situation is, if he does have a horse of his own running and that horse happens to be the winner. This may not have been an uncommon occurrence. According to ad-Dimyāṭī, most *ʿulamāʾ* permit participation of the donor in the race, on condition that he will donate the prize to charity, if he wins (*in sabaqa ḥabasa sabaqahū*).[123] A private individual (*rajul min an-nās*) who has no horse of his own in a race also qualifies as the donor of a prize, if he does so voluntarily.[124]

If the prize is put up by one of two contestants, it remained for the jurists to decide to whom the prize would go, if the donor was the winner. In this eventuality, if there are two participants, those present at the race (as spectators) would get the prize. If there are more than two, the prize would go the horse coming in in second place.[125]

The establishment of a prize by whoever did it was a contract (*ʿaqd*). As such it had to be considered under contract law. It was debated whether the contract was binding (*lāzim*) or not binding (*jāʾiz*). This affected its possible dissolution after being in force, additions to it, the refusal to go through with it completely, its dissolution upon the death of one of the contractors, and the obtaining of security for it.[126] According to Shāfiʿism, which considered it a binding contract, it was enforceable, and if the loser refused to pay up, he could be forced to do so. Others thought that the contract was not binding but something like an award (*juʿālah*). This was merely a theoretical distinction. For example, someone who promises another person a reward, if he brings back a runaway slave, continues having a choice; but when the other does return the slave, then it becomes an enforceable debt. Analogously, once the race is in fact lost, the loser faces an enforceable debt.[127] A Ḥanafite argued that the loser might not have to pay the stake he loses in a race run with a *muḥallil*, although use of such a stake is perfectly legal, in contrast to gambling winnings which nobody is allowed to use; if he refuses to make payment, nothing can be done about it legally.[128]

[123] Cf. ad-Dimyāṭī, *Faḍl al-khayl*, fol. 89a.

[124] Cf. ad-Dimyāṭī, *Faḍl al-khayl*, fol. 88b. Other expressions for "private individual" are *wāḥid min ʿurḍ an-nās* (ar-Rāfiʿī, *Muḥarrar*, fol. 111a) or *āḥād ar-raʿīyah* (Ms. Yale L-774, see below, n. 144; Ibn Qayyim al-Jawzīyah, *Furūsīyah*, 68).

[125] Cf. Ibn al-ʿArabī, *ʿĀriḍat al-aḥwadhī*, VII, 192. Cf. above, p. 99.

[126] Cf. ad-Dimyāṭī, *Faḍl al-khayl*, fols. 77b-78a.

[127] Cf. *Faḍāʾil ar-ramy*, Ms. Istanbul Veliuddin 3175, fol. 116a-b.

[128] Cf. the commentator on aṭ-Ṭaḥāwī in Ms. Istanbul Jarullah 718 (above, Ch. II, n. 213): *wa-in imtanaʿ ʿan taslīm al-māl ilayh fa-lā jabr* (Ms.

Al-ʿImrānī appears to have thought of a binding contract but one restricted to dealing with a known compensation, either (available at the time the competition takes place) in its specific form or at some later date (*immā muʿayyanan aw fī dhimmah wa-idhā kān fī dhimmah jāz an yakūn ḥāllan wa-muʾajjalan*). He also envisions the case of one of the contestants saying to the other: "I have put up a prize of ten for competing with you, and if you defeat me, they are yours, though I shall never race or shoot." He dismisses it as invalid, since it contains the stipulation not to do what is agreed upon (*mandūb ilayh*). This appears to be a purely theoretical case. Another case to which he refers may have had some practical application. Assuming that someone puts up a prize of ten for the winner, if he himself is the loser, while, if he is the winner, the other man would give him a *qafīz* of wheat, this, according to ash-Shāfiʿī, would not be a valid contract, since "a contract (in order to be valid) requires that the winner owes nothing; only the loser owes something." For if it were otherwise, the contract would sanction what is qualified as gambling and thus be naturally illegal and invalid.

Mālikites, however, who considered the establishment of prizes a binding contract like contracts drawn up in connection with things or services for hire (*ijārah*), permitted unequal stakes, such as one dīnār against two dīnārs, or a sheep against a cow, this, of course, on the assumption that the race was legalized by the participation of a *muḥallil*, something usually disapproved by Mālikites, at least by Mālik himself.[129] A form for a written agreement to be used in archery contests, specifying the sums involved, is mentioned in the *Kitāb al-Hidāyah fī ʿilm as-sabq wa-r-rimāyah*.[130]

Ḥanbalites, as represented by Ibn Qayyim al-Jawzīyah, considered what kind of contract was involved and whether it could be compared to contracts dealing with hire (*ijārah*), awards (*juʿālah*), partnership (*mushārakah*), vows and obligations (*nudhūr, iltizāmāt*), or promises and gifts (*ʿidāt, tabarruʿāt*). Ibn Qayyim al-Jawzīyah reached the conclusion that is was none of these but rather a special type of contract in its own right.[130a]

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tajabbur?) *ʿalayh fī l-ḥukm wa-in sallamahū ilayh ṭāb lahū wa-lā yadkhul taḥt qawlih taʿālā* (Qurʾān 4:29/33). For a discussion of the problem from the Ḥanbalite point of view, cf. Ibn Qayyim al-Jawzīyah, *Furūsīyah*, 69 f.

[129] Cf. ʿAbdallāh b. Maymūn, *Ifādah*, Ms. Istanbul Köprülü I, 1213, fol. 164a-b.

[130] Ms. Istanbul Veliuddin 3177, fol. 57b. See also Ms. Istanbul Veliuddin 3175, fol. 114b.

[130a] Cf. Ibn Qayyim al-Jawzīyah, *Furūsīyah*, 75-78, followed by a discussion

There were many details to be discussed in law books dealing with *furūʿ*. It was, for instance, necessary to discuss shooting rules with respect to distance and targets. It had to be decided who was to be declared the winner in a close race. Ar-Rāfiʿī, following an-Nawawī, for instance, mentions the shoulder in camel races, the neck or forelegs in horse races. Ad-Dimyāṭī considers the horse's ears or its withers as decisive for determining the winner.[131] Races between different species of animals and between different kinds of horses were frequently not considered permissible.[132] Accidents in horse races and shooting competitions require repetition of the contest, according to a Mālikite view. This applies to such matters as a bow breaking or a jockey being thrown from his horse. If the horse suffers a broken (leg) or the archer breaks his hand, the contest may be declared void, but another opinion has it that nothing of the sort would stop a competition, at least a horse race. Ibn al-Mawwāz contended that if the rider falls from the horse and the horse runs without a rider (*ʿury*^{an}) and someone else jumps on it and brings it in, it is considered the winner, but there were divergent views.[133]

As far as gambling is concerned, the most important element was the *muḥallil*, the technical term for a person whose presence legalizes an activity that otherwise would be illegal. His presence distinguishes the "shape" (*ṣūrah*) of horse racing and arrow shooting from the "shape" of gambling, as the requirement of the *walī*'s presence in arranging a marriage distinguishes the "shape" of marriage from that of unlawful intercourse.[134] In horse racing, we also encounter the less technical *dakhīl*, an entry by an outsider.[135] The *muḥallil* would get both prizes in case he wins. Or, if there is a dead heat between the *muḥallil* and one of the other two entries, they would

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of whether the contract is *lāzim* or *jāʾiz* (78 f., 98) and what stipulations might invalidate it (87 f.).

[131] Cf. ar-Rāfiʿī, *Muḥarrar*, fol 268a, and ad-Dimyāṭī, *Faḍl al-khayl*, fol. 90b. Mālikism considered the neck *(al-hādī aw baʿḍuh)* or the buttocks *(al-kafal aw baʿḍuh)*, cf. ʿAbdallāh b. Maymūn, *Ifādah*, Ms. Istanbul Köprülü I, 1213, fol. 172a. Cf. also Ibn Qayyim al-Jawzīyah, *Furūsīyah*, 102.

[132] Some jurists considered races between horses and camels unobjectionable, cf. ʿAbdallāh b. Maymūn, *Ifādah*, Ms. Istanbul Köprülü I, 1213, fols. 167b-168a.

[133] *Op. cit.* (n. 132), fols. 174b-175a. For broken bows and arrows and the like, cf. Ibn Qayyim al-Jawzīyah, *Furūsīyah*, 96 f.

[134] Cf. Ibn ʿAbd-as-Salām, *Qawāʿid*, II, 184.

[135] Cf. Lane, 622c. Cf. also the brief discussion of horse racing in Ibn ʿAbd Rabbih, *ʿIqd*, I, 177 f.

share the prize.[136] If the *muḥallil* comes in second between the other two, the more convincing view (*aẓhar al-wajhayn*) is that the winner gets the loser's prize (and the *muḥallil* gets nothing).[137]

The presence of the *muḥallil*, we may assume, eliminates gambling, because he does not lose anything and might gain only without having risked anything, so that there are not only winners and losers in a race.[138] Or, as is stated by ad-Dimyāṭī, the entrance of the *muḥallil* in the race indicates that the purpose is the race as such, whereas, if only the contestants who contribute the prize money participate in it, the risking of property (*mukhāṭarah*) would be the purpose of the race.[139] Mālikism usually did not accept the *muḥallil* as a viable solution of the gambling problem.[140] More surprisingly, the strict Ḥanbalite Ibn Taymīyah also did not approve of the *muḥallil* and defended his theory very vigorously.[141] The Shāfi'ite as-Subkī pointed out in rejecting Ibn Taymīyah's view that Ibn Taymīyah considered first as sound, but then as weak, the *muḥallil ḥadīth* as transmitted by Sufyān b. Ḥusayn < (Ibn Shihāb) az-Zuhrī < Sa'īd b. al-Musayyab < Abū Hurayrah (there is another, more defective chain of transmitters, which, however, also includes the well-known az-Zuhrī). As-Subkī argued on the basis of the gambling involved which would make racing for stakes put up by the two contestants illegal, if there is no *muḥallil*. Or, if the argument from gambling were not admitted, such racing would

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136 Cf. ad-Dimyāṭī, *Faḍl al-khayl*, fol. 89a. We can only surmise that in case all three came in at the same time, each would get one-third of the prizes.

137 Cf. ar-Rāfi'ī, *Muḥarrar*, fol. 111b, following an-Nawawī's *Minhāj*. Cf. also Ms. Yale L-774, fol. 49a, from al-Bayhaqī (d. 458/1066) (?).

138 As it was put by al-Jaṣṣāṣ ar-Rāzī, in commenting on aṭ-Ṭaḥāwī's *Mukhtaṣar* (above, Ch. II, n. 213): "If the winner takes and the loser gives, with no (participant) but the two, it is *qimār*." Ms. Yale L-774, fol. 49a, stresses that "gambling really means that everybody either wins or loses something" *(ḥaqīqat al-qimār huwa an yakūn kull wāḥid immā ghānim aw ghārim)*; this is not the case when a *muḥallil* is present. Ibn Qayyim al-Jawzīyah, *Furūsīyah*, 39 (cf. also 59), quotes the same argument, adding that the presence of the *muḥallil* makes the prize an award *(ju'l)* for him, so that the contract law applying to *ju'ālah* would govern the situation.

139 Cf. ad-Dimyāṭī, *Faḍl al-khayl*, fol. 89a.

140 Cf. also the brief discussion of all sorts of racing and shooting competitions in the *Mukhtaṣar* of the fourteenth-century Khalīl, trans. G.-H. Bousquet, I, 219 f. (Algiers 1956).

141 Cf. Ibn 'Abd-al-Hādī, *al-'Uqūd ad-durrīyah*, 45, 323 (Cairo 1356/1938, reprint Beirut, n. y. [1974?]). Ibn Taymīyah himself incidentally discussed the *muḥallil ḥadīth* in his *Fatāwī*, III, 121 f. It should be kept in mind that Ibn Taymīyah was hostile to the use of legal ruses.

fall under the general prohibition (expressed by the Prophet) concerning property (and blood and honor), which puts the burden of proof of permissibility on those who want to spend any property for any purpose.[142] Ibn Taymīyah's known disapproval of the device of the *muḥallil* caused some trouble to the Ḥanbalite Ibn Qayyim al-Jawzīyah in the year 746/1345. He had written a treatise on the subject and apparently found much sympathy for this view, especially among the powerful Turks (because, we can be sure, it enabled them to race without those troublesome outsiders, while at the same time not worrying about the gambling problem). He was forced by the Shāfi'ite authorities to accede to the majority opinion.[143] A very lengthy discussion (*Furūsīyah*, 20-61, 74) does indeed make it quite clear that he shared Ibn Taymīyah's view on the subject. Only about five pages of it are devoted to what could perhaps create the impression of favoring the *muḥallil*, and these few pages are placed right in the middle of many pages of obviously negative comment. It would be impossible for anyone to misunderstand Ibn Qayyim al-Jawzīyah's intention, which was to make a convincing case against the *muḥallil* in behalf of Ibn Taymīyah and his followers.

Five folios in Ms. Yale L-774[144] provide additional information in this connection. The title-page (fol. 45a) has the title *Juz' fī muḥallil al-mus(ābaqah)*. The treatise is incomplete at the end. The slightly damaged first lines at the beginning inform us that the treatise was a response from Damascus to one on the subject from Egypt. It contains a detailed discussion of the individuals concerned with the transmission of the *muḥallil ḥadīth* and stresses their weakness. The main argument is that if the hope for gain and the fear of loss characterize gambling, the presence of the *muḥallil* adds to both. Thus, instead of eliminating the danger of gambling, it in fact makes it greater. The incidence of loss is greater, because each one of the two contestants loses, if the *muḥallil* is the winner, and for each of them the chance of being defeated is greater when running against two, the other contestant and the *muḥallil*, than when running against one. The chance of gain is smaller, since a contestant

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142 Cf. as-Subkī, *Fatāwī*, II, 421 f.

143 Cf. Ibn Kathīr, *Bidāyah*, XIV, 216 (Cairo 1351-1358), cited by H. Laoust, in *EI*², *s.v.* Ibn Ḳayyim al-Djawziyya.

144 Cat. Nemoy, no. 1616, fols. 45a-50a. Folios 50b-56 do not belong to the *muḥallil* treatise.

would have to defeat only one opponent in order to win, if there is no *muḥallil*, while he has to defeat two opponents, if there is a *muḥallil*. This, together with the weakness of the *ḥadīth* and the strange arrangement that there is someone who like the *muḥallil* stands only to gain at the expense of others and has nothing to lose, appears, in the view of the author, to do away with the *muḥallil* as a helpful device for eliminating the gambling quandary.

Who was the author? He mentions the *Sharḥ at-Tanbīh* of Ibn ar-Rafʿah, who died in 710/1310. More important, he quotes the Egyptian author, to whom he responded, as directly reporting information (*akhbaranā ... min kitābih*) from Ibrāhīm b. Muḥammad al-Makkī Raḍī-ad-dīn aṭ-Ṭabarī, who died as an old man in 722/1322.[145] While he is unlikely to have been Ibn Taymīyah himself, he belonged clearly to his school and might very well have been none other but Ibn Qayyim al-Jawzīyah. In this case, unless it was the *Furūsīyah*, it might have been this treatise that triggered the trouble Ibn Qayyim al-Jawzīyah faced in 746/1345.

The laws governing horse and camel racing were easily applicable to archery competitions. Manuals on horses and on archery were often quite technical, and their authors saw no point in dwelling upon legal problems. When those writing on archery did, they had hardly any modifications to propose to the general tenor of the discussion on racing.[146] Mālik, we are told on the authority of Ibn

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[145] Cf. Ibn Kathīr, *Bidāyah*, XIV, 103; Ibn Ḥajar, *Durar*, I, 54 f., with some confusion in the dates; Ibn al-ʿImād, *Shadharāt (adh-dhahab fī akhbār man dhahab)*, VI, 56 (Cairo 1350-1351).

[146] Modern discussions of archery based upon the sources say nothing on gambling, cf., for instance, J. Hein, *Bogenhandwerk und Bogensport bei den Osmanen*, in *Der Islam*, XIV (1925), 289-360; N. Faris and R. P. Elmer, *Arab Archery* (Princeton 1945); or Latham and Paterson (above, Ch. II, n. 248).

Rather detailed in his legal discussion is ʿAbdallāh b. Maymūn, *Ifādah*, written approximately between 1250 and 1350. Of the three manuscripts preserved in Istanbul in the Köprülü Library, I, 1211-1213, the last one has usually been quoted here, because it often, though not always, appears to have the better text.

Ms. Istanbul Veliuddin 3175 contains the *Wāḍiḥ* of aṭ-Ṭabarī on fols. 1b-100b (cf. Brockelmann, *GAL*, *Suppl.*, I, 906, and, for a brief description of the contents, Hein, 305). It is followed on fols. 101a-190b by a *Kitāb Faḍā'il ar-ramy wa-ʿilm ar-rimāyah*, which pays much attention to the legal situation. The most prominent *isnād* occurring in it all the time is Judge Ibn al-Ashyab on the authority of Ibn Abī d-dunyā. The same *isnād* (Abū Muḥammad ʿAbdallāh b. al-Ḥusayn ar-Raqqī [?] < Ibn al-Ashyab < Ibn Abī d-dunyā) also appears in the *Kitāb al-Hidāyah fī ʿilm as-sabq wa-r-*

ʿAbd-al-Barr, preferred horse racing to shooting contests, because shooting could be done everywhere and at all times, whereas racing was confined to certain localities and was less frequent (and, consequently, constituted much less of a distraction).[147] The presence of the *muḥallil* is mentioned as a necessity in archery contests for stakes, if they were put up by both contestants.[148] However, the impression prevails that it was not an issue of the same dimensions that it was made out to be in horse racing. Presumably, it was much more common in archery than in racing for any worthwhile stakes to be put up by non-participants, such as rulers eager to increase the effectiveness of their bowmen.

Horse racing laws also provided the basis for the legal discussion of many other kinds of sports contests. Ad-Dimyāṭī quotes the opinion of ʿAṭāʾ (d. 114-115/732-733) that "racing with everything is permitted,"[149] but naturally adds that this is an appropriate statement only if it is understood that such racing would not be for stakes. The gambling proviso is also implied in the view that holds that all such activities are basically permissible by law:

> "Legal *(mashrūʿ)* racing of horses and other animals as well as foot-racing is permitted. There is nothing degrading *(danāʾah)* in it, nor does it make a person's testimony unacceptable. The same applies to corresponding activities such as javelin and sword play *(ḥirāb, thiqāf)* and other games, if they do not involve causing harm or distracting from a religious duty. The basic assumption *(aṣl)* is permissibility *(ibāḥah)*. And God knows better."[150]

Many jurists go into the question of sports competitions in some detail. As a sufficiently clear and comprehensive exposition we may quote the one by al-ʿImrānī. After discussing the two different views as to the legality of elephant racing and dismissing mule and donkey racing as not permitted, because it has no military value (*karr wa-farr*), he continues:

> "Foot racing without compensation *(ʿiwaḍ)* is permitted, because it has been reported that ʿĀʾishah said: 'I raced the Prophet twice. The

rimāyah, Ms. Istanbul Veliuddin 3177. As J. A. Bellamy kindly informs me, Ibn al-Ashyab is to be identified with Mūsā b. al-Qāsim b. Mūsā b. al-Ḥasan b. Mūsā, who died in 377/948-9, or 379/950, cf. al-Khaṭīb al-Baghdādī, *Taʾrīkh Baghdād*, XIII, 61. "Judge" is probably a title inherited from his great-grandfather.

147 Cf. ʿAbdallāh b. Maymūn, *Ifādah*, Ms. Istanbul Köprülü I, 1213, fol. 165a. Cf. Ibn Qayyim al-Jawzīyah, *Furūsīyah*, 11 ff.

148 Cf. *Faḍāʾil ar-ramy*, Ms. Istanbul Veliuddin 3175, fol. 107b.

149 Cf. ad-Dimyāṭī, *Faḍl al-khayl*, fol. 78b. Cf. also Ibn Ḥajar, *Fatḥ*, VI, 413.

150 Cf. Ms. Dublin Chester Beatty 4759, fol. 24a.

first time I defeated him, but when I grew stout, he defeated me.' ...There are two views as to whether foot racing for a compensation is permitted. According to one of them, held by the ʿIrāqians, it is permitted, because the foot soldier needs it in battle, just as he needs it on the way to the battle (?).[151] According to the other, it is not permitted. This is based on textual evidence, and it is the view held by Ibn Ḥanbal, because the Prophet has said: 'There is no prize *(sabaq)* except for arrows *(naṣl)*, or camels *(khuff)*, or horses *(ḥāfir)*.'[152]

Pigeon *(ṭayr)* racing without compensation is permitted. There are two views as to whether pigeon racing for a compensation is permitted. According to one of them, (it is permitted,) because pigeons are used as an auxiliary in war for carrying messages *(al-kutub bi-l-akhbār)*. According to the other, it is not permitted (in view of the *ḥadīth* just cited).[153]

Boat *(sufun)* racing without compensation is permitted. There are two views as to whether boat racing for a compensation is permitted. According to one of them, it is permitted, because boats are used for fighting on the sea, just as horses are used for fighting on land. According to the other, it is not permitted, because of the textual evidence mentioned and because they are not an instrument for war, but war takes place within them.

Wrestling *(muṣāraʿah)* without compensation is permitted. There are two views as to whether it is permitted for a compensation. According to one of them, held by the ʿIrāqians, it is permitted, because it is reported that the Prophet wrestled with Yazīd b. Rukānah for a sheep. The Prophet defeated him, although he was not used to wrestling. Then Yazīd b. Rukānah wrestled the Prophet again, and the Prophet defeated him again. He did it a third time, and again the Prophet won. Thereupon, he became a Muslim, and the Prophet returned the sheep to him.[154] According to the other view, it is not per-

[151] The text *(kamā yaḥtāj ilayh fī l-faras li-l-qitāl)* is not correct. The above translation substitutes another word for *faras*. Perhaps, it should be emended to read, "as horses are needed in battle."

[152] Ibn Abī Shaybah, *Muṣannaf*, fols. 101b-102a, has two reports on ʿĀ'ishah's foot race with the Prophet, one report on a foot race between one ʿAbd-ar-Raḥmān (b. ʿAwf ?) and his father, and one statement attributed to az-Zuhrī that "they used to race on foot." According to aṭ-Ṭaḥāwī (above, Ch. II, n. 213), Muḥammad ash-Shaybānī declared foot racing (for a stake) permissible; the commentary of al-Jaṣṣāṣ ar-Rāzī refers to ʿĀ'ishah and a race between Salamah b. al-Akwaʿ and an unidentified man in the presence of the Prophet. According to ad-Dimyāṭī, *Faḍl al-khayl*, fol. 78a, Mālik permitted foot racing and similar activities, if undertaken without stakes. Ibn Taymīyah, *Fatāwī*, II, 12, 14, declared foot racing and wrestling permissible as body building. Cf. also Ibn Qayyim al-Jawzīyah, *Furūsīyah*, 2 f., 6.

[153] In order to please Hārūn ar-Rashīd, Judge Abū l-Bakhtarī (d. 199-200/814-816) inserted "pigeons" into the *ḥadīth*. He thereby did no favor at all to ar-Rashīd's pigeon, for the caliph had it slaughtered, because it caused someone to lie about the Prophet, cf. ad-Damīrī, *Ḥayawān*, I, 293; I. Goldziher, in *Zeitschrift für vergleichende Rechtswissenschaft*, VIII (1889), 422, reprinted in his *Gesammelte Schriften*, ed. J. Desomogyi (Somogyi), II, 369 (Hildesheim 1968).

[154] Ad-Dimyāṭī, *Faḍl al-khayl*, fol. 78a, reports the story from Abū Aḥmad al-ʿAskarī. Cf. also Ibn Qayyim al-Jawzīyah, *Furūsīyah*, 3, 33-35.

mitted, because of the textual evidence mentioned and because wrestling is not an instrument of war. The Prophet wrestled with Yazīd b. Rukānah, because he wanted him to become a Muslim. Therefore, when he became a Muslim, he returned his sheep to him.

Competition with Arab bows and non-Arab bows is permitted with and without compensation, because of the Prophet's statement.

Competition with *mazārīq* is permitted, because they have arrow heads *(naṣl)* and are used for fighting. They are comparable to arrows *(sihām)*.

There are two views as to whether competitions with spears *(rumḥ)*, swords *(sayf)*, and clubs *('amūd)* are all right *(ṣaḥḥa)*. According to one of them, held by Ibn Ḥanbal, it is not permitted, because of the Prophet's statement. According to the other, it is permitted, for ash-Shāfi'ī has said in the *Kitāb al-Umm* that (competition is permitted) with everything by which the enemy may be hurt, such as swords, spears, and *mazārīq*, and because they are weapons used in fighting. They are comparable to arrows *(nushshābah)*.

There are two views, reported by aṭ-Ṭabarī in the *'Uddah*, as to whether throwing stones from a slingshot *(miqlā')* for a compensation is permitted. According to one of them—the only one reported by Ibn aṣ-Ṣabbāgh—, it is not in the public interest *(ṣ-l-ḥ)*, since it is not an instrument of war. According to the other—the only one reported in the *Muhadhdhab*[155]—, it is in the public interest, because it is an instrument of war. It is comparable to arrows *(nushshāb)*.

The competition with anything that is not an instrument of war, such as hitting polo balls, lifting *(raf')* stones, and playing the ring game, and the like, is not permitted for a compensation, because there is no use in it for war."[156]

Other Shāfi'ites such as an-Nawawī and ar-Rāfi'ī also classified the games according to their usefulness, or the lack of it, for military preparedness. Horse racing and shooting are classified as preferred (*mustaḥabb*), or even *lāzim* "necessary." (Others consider the classification of necessary as a community duty.[157]) The better view on racing elephants, mules, and donkeys for money is that it is permitted, whereas pigeon flying and wrestling are not. Money may be spent on competitions with *mazārīq*, spears, stone throwing,[158] mangonel shooting, and other things, as being "useful in war." It may not be spent on polo, (clay) pellets (*banādiq*),[159] swimming, chess, the ring game, standing upon one foot, and the knowledge of what is in the other's hand.[160] Representatives of Mālikism approved

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[155] By the Shāfi'ite Abū Isḥāq ash-Shīrāzī (d. 476/1083). For the other two authorities, see above, n. 117.

[156] Cf. al-'Imrānī, *Bayān*, fols. 77b-78b.

[157] Cf. az-Zarkashī (?) (above, Ch. II, n. 118), fol. 161a.

[158] Cf. *op. cit.* (n. 157), fol. 161b, where throwing both by hand and by means of a slingshot are mentioned.

[159] Cf. Lane, 259c.

[160] Cf. an-Nawawī, *Minhāj*, III, 319 f., and ar-Rāfi'ī, *Muḥarrar*, fol. 267a-b,

of foot races, boat races, pigeon flying, stone throwing, spear and sword play, and wrestling as activities promoting military prowess (in the case of courier pigeons, improved communications). All of it meant discomfort for the enemy and therefore was useful for the Muslims. However, if it was merely a competition for winning and glory, with no serious training purpose behind it, it was, with or without stakes (*juʿl*), immoral gambling.[161]

The criterion of usefulness in war was an ingenious invention. It eliminated once and for all the bane of *bāṭil*. It could be extended to encompass practically every kind of sport, if this seemed to be desirable. Even beyond the effective sway of Shāfiʿism, there was no real obstacle to holding competitions and playing games for prizes, with some minor precautions in order to avoid the appearance of gambling. Gambling by non-participants was, of course, completely illegal under any circumstances. It was a major sin, as was participatory gambling.

We may ask what worldly punishment awaited the gambler who was caught at it. According to the law, gambling made him unfit to function as a witness; we might say, in a way, he lost his civil rights. The alleged precedent of Ibn az-Zubayr[162] suggests that he might receive a beating or be reproved and humiliated by public exposure. These were normal kinds of *taʿzīr* punishment, left to the discretion of the judge. The secular authorities might administer a severe beating to individuals involved in the gambling business, even if they did not gamble themselves, as shown by the story of the *muṭammiʿ*.[163] Banishment might be considered as an effective punishment and was attempted in the case of the poet at-Tallaʿfarī. Rather interestingly, those who would gamble with him were threatened with the loss of a hand.[164] The legal reasoning behind it, if there was any, probably equated gambling here with theft, since

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Ms. Brit. Mus. or. 4285, fol. 110b.

A gloss in Ms. Fatih 2103 of ar-Rāfiʿī quotes the *ʿUjāb* (apparently, ʿAbd-al-Ghaffār al-Qazwīnī's own commentary on his *al-Lubāb fī uṣūl al-fiqh*, cf. Brockelmann, *GAL*, I, 394) for permitting pigeon flying, wrestling, and foot racing without compensation, while forbidding sheep and cock fighting *(munāṭaḥat ash-shāh wa-muhārashat ad-dīk)* with and without compensation, as well as the other games mentioned above.

[161] Cf. ʿAbdallāh b. Maymūn, *Ifādah*, Ms. Istanbul Köprülü I, 1213, fol. 165a.

[162] See above, p. 92.

[163] See below, p. 144.

[164] See below, p. 147.

at-Talla'farī was such an easy mark with his reckless losing that gambling with him was like stealing.

For Shī'ah jurisdiction, exercised by the leader of the community (*naqīb*) over other 'Alids, we are fortunate in having a little gem of an anecdote involving gambling. It is reported about the Sharīf ar-Raḍī, himself a famous poet as we have seen. 'Alids who committed crimes and were brought before him could count on severe treatment. The poor lady in our story should have been aware of that:

> "An 'Alid woman complained to him that she had small children in the house, and her husband gambled away whatever income he received from whatever kind of work he was doing and thus was in constant financial difficulties. Witnesses present confirmed the truth of her complaint. The Sharīf ar-Raḍī summoned the husband. He was placed on his belly and given a beating. His wife expected that the Sharīf ar-Raḍī would call a halt to the beating, but he let it go on, until the man had received more than a hundred lashes with a stick. The woman now started to wail, 'Woe upon my poor orphaned children! What shape will we be in, if that man dies.' The Sharīf ar-Raḍī turned to her and addressed her sternly in these words, 'Did you think you were lodging a complaint (about a child) with a school teacher?'"[165]

The punishable offense in this case was, in fact, not so much the man's gambling as the neglect of his duty to provide and care for his family. The truth is that we do not hear much about gamblers being punished by either the legal authorities or the political authorities. Social conditions affecting gambling appear to have prevented most gambling offenses from reaching the courts.

Much of the difficult task of watching out for gambling activities and trying to suppress them by appropriate measures was apparently left to the office of the *muḥtasib*, the market supervisor, which filled the void between the free-wheeling government jurisdiction of *maẓālim* and the sharply circumscribed *sharī'ah* courts of the *qāḍī*s. Yet, the *ḥisbah* handbooks are quite uninformative with respect to gambling. It should not be forgotten that the *muḥtasib*'s hands were severely tied when it came to transgressions committed in the privacy of one's home. "Spying" was permitted to his office only under special circumstances.[166] Now, gambling was often done in private. It was an indoors activity, as stated by a scholar who attempted to explain why the *ḥadīth* speaks of gambling in connec-

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[165] Cf. Ibn 'Inabah, *'Umdat aṭ-ṭālib*, 210 (an-Najaf 1381/1961). This seems to be the story to which Mez, *Renaissance*, 384, n. 5, refers as to be found in "Dīwān des Ridā, S. 3."

[166] Cf. al-Māwardī, *al-Aḥkām as-sulṭānīyah*, 238 f. (Cairo 1298).

tion with the subject of requests for permission to enter (*isti'dhān*); the word *manzil* is used in this case, without any further elaboration as to whether it was meant to signify private homes or public places or, most probably, both.[167] At any rate, the *muḥtasib* was no doubt greatly handicapped in any attempts he might have made to supervise gambling.

Authors of *ḥisbah* works from the West of the Muslim world such as Ibn ʿAbdūn would include a paragraph to the effect that playing chess, *nard*, and *qirq* as well as using divination arrows by way of gambling constituted forbidden activities, since all that distracted an individual from fulfilling his religious duties.[168] Another author, a certain ʿUmar b. ʿUthmān al-Jarsīfī, counts among the tasks of the *muḥtasib* the prevention of gamblers (*qammārūn*), wine merchants, and drunkards from becoming a public nuisance. It was the *muḥtasib*'s job to punish them (*ta'dīb*), while avoiding any interference with the *qāḍī*'s jurisdiction over cases where legal punishments (*ḥudūd*) were involved. He also had to stop rough play with sticks occasionally practiced by children in the streets.[169]

In the large *ḥisbah* work of Ibn al-Ukhūwah, it is in a highly theoretical manner that *nard*, chess, and pigeon fancying are discussed in connection with the *qāḍī*'s concern for the obligatory qualifications of official witnesses. This, perhaps, was meant to serve as a hint that, although the *muḥtasib* should be aware of the gambling problem, it was not really a concern of his.[170] Strangely enough, gambling was referred to by ash-Shayzarī and Ibn al-Ukhūwah among the duties of teachers. They are advised to beat children for bad behavior, the use of foul language, and other actions deviating from the *sharīʿah* norm, such as playing with dice (astragals?, *kaʿb*, *kiʿāb*), eggs, *nard*, and all kinds of gambling (*qimār*).[171]

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[167] Cf. al-ʿAynī, *ʿUmdah*, X, 516. Cf. also Ibn Ḥajar, *Fatḥ*, XIII, 335; al-Qasṭallānī, *Irshād as-sārī*, IX, 172.

[168] Cf. Ibn ʿAbdūn, ed. É. Lévi-Provençal, *Documents arabes inédits*, 53 (Cairo 1955), trans. in his *Séville musulmane*, 118 (Paris 1947) (where *qirq* is translated "dames").

[169] Cf. É. Lévi-Provençal, *Documents arabes inédits*, 123 f. Ibn ʿAbdūn (*Documents*, 52, *Séville*, 117) also mentions the stick game, for which see above, p. 59.

[170] Cf. Ibn al-Ukhūwah, text 213 f., trans. 85 f.

[171] Cf. al-Shayzarī, *Nihāyat ar-rutbah*, ed. as-Sayyid al-Bāz al-ʿArīnī, 103 f. (Cairo 1365/1946), and Ibn al-Ukhūwah, text 171, trans. 60. The reference to al-Māwardī in Mez, *Renaissance*, 384, n. 6, could not be traced to the passage indicated. It mentions supervision of gambling dens by the *muḥtasib*.

No concrete cases illustrating how the *muḥtasib* dealt with actual instances of gambling were envisaged in this literature. As always, it is difficult to penetrate to the realities of daily life through Muslim legal scholarship. Since gambling did not belong to the subjects considered central by the legal tradition, the difficulty is greater than usual.

CHAPTER FOUR

GAMBLING IN BELLES LETTRES

The law reveals the degree to which human activities have become institutionalized in a given society. Their reflection in its non-utilitarian literature and their imprint upon language beyond the ordinary requirements of basic communication show that they have acquired another dimension and have undergone transformation from purely factual reality to intellectual and emotional existence. They are then present in individual and collective consciousness or subconsciousness not only when they happen to take place but as more or less permanent and often essential factors determining the society's lifestyle. Therein lies the importance of the information conveyed to us by belles lettres, in addition to what we may learn from them in factual terms. The unreality of the human imagination confirms, and as much as possible perpetualizes, the meaning of reality.

For any proper evaluation of the linguistic and literary evidence, the quantitative element plays a certain role. Where the totality of documents available to us is small and the linguistic situation imperfectly known, a single reference carries great weight. Where all that is as enormously plentiful and varied as it is among Muslim peoples, a single reference, or even a few, could owe their existence to uncharacteristic special circumstances and require being viewed in that light. Quantity is never easy to judge. It is determined not only by the uncertainties of preservation but also by the limits placed upon the exhaustiveness of research. No doubt, the material presented in this chapter should be multiplied many hundred times by anyone attempting to weigh its significance as indicated by its quantity. As has been stated before (above, pp. 6 f.), the problem of quantitation in a way affects everything that can be said about gambling in Islam. However, it becomes most crucial where language and poetry, the greatest constants of Muslim civilization, are under scrutiny.

Wherever there is gambling, a gambling slang is created, in order to forge a linguistic bond among the true initiates. Like every slang, it constantly renews itself, but also leaves some permanent traces in speech. Gamblers in Islam can thus be assumed to have had such a

language of their own. Thanks to a passage in one of the works of at-Tawḥīdī, this assumption becomes an attested fact. In his heroic effort to demolish the reputation of the Ṣāḥib Ibn ʿAbbād, at-Tawḥīdī does not omit to blame him for the use of coarse and vulgar language. He tells us that Ibn ʿAbbād learned from al-Aqṭaʿ, who is characterized as a "robber and gambler" (*liṣṣ muqāmir*) of bad reputation, "the speech (*kalām*) of a certain type of beggars (*mukaddūn*), the low-key conversation (*munāghāh*) of another type (*shaḥḥādhūn*), and the ways of expression (*ʿibārah*) used by gamblers and persistent dice players."[1] At-Tawḥīdī does not spell out what he meant by the different terms he employed for those argots. The *ʿibārah* of the gamblers might possibly be a term indicating not a fully developed slang but rather hinting at the occasional use of a special terminology, such as "sixes and fives,"[2] words for cheating, and so on. No extensive specimen of their way of talking seems to have been preserved in the literature (none, at any rate, has been identified as such so far), so that we have to rely for our knowledge on whatever stray indications we may happen to find. Owing to the highly conservative character of literary Arabic, later slang coinages were hardly able to make inroads into it to the extent gambling terms had succeeded in doing during earlier stages of the development of Arabic, witness the numerous words for gambling competitions and prizes, and the like.

Both poetry and artistic prose adopted some gambling imagery in their vast vocabulary. Very little of it filtered down into more ordinary prose. Horse racing had the most prominent share of all games and sports in enriching the language. The competing animals could originally have been camels, but it would seem much more likely that they were horses from the start. The root *s-b-q*[3] sometimes clearly states, and more often implies, the idea of being out in front as the winning participant in competitive intellectual activities.

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[1] Cf. at-Tawḥīdī, *Akhlāq al-wazīrayn*, 185. See above, Ch. II, n. 145, and below, Ch. V, n. 73.

[2] See below, Ch. V, n. 49. Puzzling expressions can always be expected to show up. Thus, we hear *māyah* described as "something of the tools of gamblers," cf. as-Sakhāwī, *Ḍawʾ*, IX, 271. *Māyah* is the rhyme word in a *mawālīyā*, thus its pronunciation is assured. It may be a Persian word.

[3] *S-b-q* is etymologically related to Aramaic *š-b-q* "to leave, to leave behind." At an older stage of Semitic, the root developed from a causative of **b-q*, which further yielded Arabic *b-q-y*. Cf. C. Brockelmann, *Grundriss der vergleichenden Grammatik der semitischen Sprachen*, I, 522 (Berlin 1908-1913).

Ḥalbah, maydān, miḍmār, all designating places where race horses were trained and competed with each other, were commonly used terms in this connection. Rather bluntly and prosaically, it could be maintained that "poetry is a hippodrome, and the poets are horses."[4] A successful poet could be praised as "the winner on the race track of poets" (*sabbāq ḥalbat ash-shuʿarāʾ*).[5] Than al-Jāḥiẓ there was "no greater winner in the hippodrome of artistic style" (*mā raʾaytu asbaq minhu fī maydān al-bayān*). Immediately thereafter, in the same passage, it is said that with respect to artistic style, God "placed into his hand the rod (*qaṣab*) of victory," namely, the measuring rod that served as the goal post. It is described as having been placed in the center of the finish line; it was seized (*ḥāza, aḥraza*) by the winner who was thereby entitled to claim the offered prize (*khaṭar*). Simpler terms were further employed for additional praise of the great littérateur. He is extolled as not being surpassed (*yusbaq*) or even reached (*yulḥaq*), whether he writes in a serious or humorous vein.[6] The shabby triteness finally achieved by the metaphor comes through clearly in these fourteenth-century verses:

> When he gets into the hippodrome of each virtue,
> He grasps the rods of first place on a racing day,
>
> Having run to seize the virtues and high accomplishments,
> Not having been reined in and restrained from going to the limits of them.[7]

An author may describe his father as "reaching the goal before (*asbaq ilā l-ghāyah*) someone else with respect to using Qurʾānic verses in his poetry (*iqtibās*), and thus afterwards having mourned a servant in verses guaranteeing him that he would obtain the prize in the race (*ḥiyāzat khaṣl as-sibāq*)."[8] A great scholar "constantly

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[4] Cf. Ibn Bassām, *Dhakhīrah*, I, i, 8, l. 4.

[5] Cf. Ibn Bassām, *Dhakhīrah*, I, i, 44.

[6] Cf. at-Tawḥīdī, *Baṣāʾir*, I, 231 f. For *qaṣab*, cf. the dictionaries, for instance, al-Azharī, *Tahdhīb*, VIII, 382; Ibn al-Athīr, *Nihāyah*, III, 287; *Lisān*, II, 171; Lane, 2529b. Cf. also at-Tawḥīdī, *Baṣāʾir*, I, 367, l. 2.

[7] Cf. al-Qīrāṭī, *Maṭlaʿ an-nayyirayn*, Mss. Istanbul Fatih 3861, fol. 46a, and Topkapısarayı Ahmet III 2627, fol. 52b:

> *idhā ṣāra fī miḍmāri kulli faḍīlatin*
> *ḥawā qaṣabāti s-sabqi yawma rihāni*
> *jarā naḥwa iḥrāzi l-faḍāʾili wa-l-ʿulā*
> *fa-mā kaffa ʿan ghāyātihā bi-ʿināni.*

[8] Cf. al-Bākharzī, *Dumyat (al-qaṣr)*, ed. ʿAbd-al-Fattāḥ M. al-Ḥilū, I, 377 f. (Damascus 1388—/1968—).

seizes the rod of victory on the race tracks of science,"[9] and a littérateur could do the same on those of *adab*.[10] A religious zealot who led a compaign against wine shops may ironically be addressed as someone who, "in order to set the broken bones of Islam, broke those wine vessels" and did it so energetically that "he seized the prize in the race of breaking and setting."[11] Ability may be concealed in the beginning, and its presence be unknown, just as the front runner in a race is not always the winner at the end. The winner is known only when the race is over:

> Not being out in front does me no harm.
> Who the winner is *(as-sabq)* is known at the end of the course *(miḍmār)*.

This verse, the first of two, was composed by Lisān-ad-dīn Ibn al-Khaṭīb. The couplet seems to have greatly pleased Ibn Khaldūn. He had not learned it from its author but had his permission to quote it. He quoted it to his student Ibn ad-Damāmīnī.[12]

Graeco-Arabic translation literature brought the simile of horse racing into the context of ethical ideas ascribed to Socrates. Socrates "said to his disciples: He who does not train (*yuḍ[am]mir*) his soul in the *miḍmār* where (horses) are exercised, is not the first to reach the goal of good (qualities and actions), because he does not get to the limit of wisdom."[13] Just as being the winner is good, being the loser is bad, and *fiskil* "the horse coming in last" takes on the meaning of "mean, base."[14] "Running on (someone else's) race track" was in ordinary use as a deprecating metaphor for doing what others do, for descending to the level of another person,[15] or, with the negation,

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[9] Cf. Ibn Bassām, *Dhakhīrah*, IV, i, 141, ll. 10f., cf. also I, ii, 258, l. 11, etc.

[10] Cf. ash-Sharīshī, *Sharḥ al-Maqāmāt*, I, 312. Cf. also, for instance, the common "gathering the rods of victory," see Ibn al-Labbānah, in al-ʿImād al-Iṣfahānī, *Kharīdah* (Western poets), ed. M. al-Marzūqī, M. al-ʿArūsī al-Maṭwī (?), al-Jīlānī Ibn al-Ḥājj Yaḥyā, and Ādhartāsh Ādharnūsh, II, 122 (Tunis 1966, 1971) (not in the edition of ʿU. ad-Dasūqī and ʿA. ʿAbd-al-ʿAẓīm, Cairo, n. y. [1964]).

[11] Cf. Ibn Bassām, *Dhakhīrah*, I, i, 364.

[12] Cf. Ibn ad-Damāmīnī, *Nuzūl al-Ghayth alladhī insajam fī sharḥ Lāmīyat al-ʿAjam*, Mss. Escorial 560, fol. 6b, and 325, fol. 4b (Escorial 560 is the older and better manuscript). For Ibn ad-Damāmīnī's contact with Ibn Khaldūn, cf. as-Sakhāwī, *Ḍaw'*, VII, 186. The verses are quoted in Ibn Ḥajar, *Durar*, III, 473.

[13] Cf. al-Mubashshir, *Mukhtār al-ḥikam*, 121.

[14] Cf. al-Bākharzī, *Dumyah*, I, 6; Lane, 2398c. For *fiskil*, see above, p. 49, and, for the possible origin of the word, S. Fraenkel, *Die aramäischen Fremdwörter im Arabischen*, 106.

[15] As in a saying attributed to Aristotle, cf. *The Sayings of the Four Philos-*

for not accomplishing as much as someone else, as we would say, deriving a metaphor from another sport, "not playing in his league."

"Two horses engaged in a race" (*farasā rihān*)[16] was a figure of speech for individuals engaged in a contest. The Prophet is said to have compared his relationship in time to the Last Hour with two horses engaged in a race.[17] A husband and wife involved in a complicated divorce situation may be so described.[18] In both cases, it is a very close contest, whether with respect to reaching the goal or, as explained in the sources, with respect to the start of the race.[19] In any case, *farasā rihān* came to signify being the same[20] or being co-equal.[21] If the plural was used instead of the dual, it was possible in a rather tortuous manner to speak of the three race horses of poetry, prose, and logic which, when one of them was attacked, were all affected.[22]

The gambling aspect of racing is naturally much less in the foreground of all these usages than is the sporting aspect of it. The latter would seem to be completely dominant where the shooting of arrows, the arrow hitting the target, was employed as a metaphor for correctness and success, which was commonplace. Still, the widespread use of "the arrow coming out, being drawn" (*fawz al-qidḥ*) to indicate high accomplishment and success represents a gambling metaphor which could well be called the only lasting legacy of the old *maysir* game. It was rarely used with a negation, "to draw an arrow that is not winning," for the opposite meaning.[23] While the arrow is often specified for good measure as being *al-muʿallā*, the one to which the largest number of shares was assigned in *maysir*, such an addition was not necessary and probably was often felt to

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ophers, which form the subject of a Yale doctoral dissertation by D. Gutas (1974).

[16] Cf. ath-Thaʿālibī, *Thimār al-qulūb*, 287; al-Maydānī, *Arabum Proverbia*, II, 362. See also ash-Sharīshī, *Sharḥ al-Maqāmāt*, II, 325.

[17] Cf. *Concordance*, II, 313a25; Ibn Ḥanbal, *Musnad*, V, 331.

[18] This passage occurs in what is called a tradition of aḍ-Ḍaḥḥāk (b. Muzāḥim?), cf. al-Azharī, *Tahdhīb*, XII, 406b; Ibn al-Athīr, *Nihāyah*, III, 208; *Lisān*, VIII, 40; Lane, 2367c.

[19] Cf. ad-Damīrī, *Ḥayawān*, II, 239.

[20] Cf. Ibn Bassām, *Dhakhīrah*, I, i, 182, l. 19.

[21] Referring to body and spirit, cf. *Arabian Nights*, ed. Macnaghten, IV, 397, trans. Littmann, VI, 52 (910th night).

[22] Cf. al-Bīrūnī, *Taḥdīd nihāyāt al-amākin*, ed. P. G. Bulgakov, in *Revue de l'Institut des Manuscrits Arabes*, VIII (1962 [1964]), 28, trans. Jamil Ali, 6 (Beirut 1967).

[23] Cf. Ibn Bassām, *Dhakhīrah*, I, ii, 36, l. 19.

be too much of a cliché and therefore something better be done without. Of an individual highly accomplished in both poetry and prose, it might be said that "he drew the two *mu'allā* arrows in both places," but the simple "my arrow came out" was good enough to convey the intended meaning.[24] Numerous minor variations were invented. Thus it could be said that "he hit the highest arrow (*sahm*) and most successful (*afwaz*) arrow (*qidḥ*) in commerce,"[25] and matters of this sort. Friends could be told that

> The hands of separation played with us till it was
> As if we were arrows, and they were *maysir* players.[25a]

Sometimes, if not very frequently, the gambling connection was recalled by the addition of a word formed from the root *q-m-r*. At the end of a difficult peregrination, Ibn Bassām eventually "came out like a (winning) arrow, when it is used in gambling."[26] Even in an elegy for al-Ḥusayn, the Sharīf ar-Raḍī could mention that "my arrow is not defeated" (*qidḥī ghayr maqmūr*).[27] "The high arrow in the gambler's hand" (*sahm al-'ulā fī yad al-qāmir*) suggests uncertainty,[28] or unexpectedness. The search for a friend may turn out to be elusive, even when it would seem that unexpectedly and by chance, one has found one:

> ...Till when I say that my hand has come up
> With one like him in the way of a gambler's hand,
> I find what is in my palm of him to be as if
> The hand of a piper were filled with it.[29]

"The loser" (*maqmūr*) served occasionally to refer to a person utterly lost and distressed.[30] In a verse presumably by al-Aḥwaṣ,

[24] Cf. at-Tawḥīdī, *Imtā'*, II, 137, 165. Cf. also al-Bākharzī, *Dumyah*, I, 273, 503.

[25] Cf. Ibn Bassām, *Dhakhīrah*, I, ii, 102. *Afwaz as-sihām* appears, for instance, in at-Tawḥīdī, *Muqābasāt*, ed. M. T. Ḥusayn, 241, no. 61 (Baghdād 1970).

[25a] Cf. Fityān ash-Shāghūrī, *Dīwān*, 192 (Damascus 1387/1967).

[26] Cf. Ibn Bassām, *Dhakhīrah*, I, i, 8, l. 15.

[27] Cf. ash-Sharīf ar-Raḍī, *Dīwān*, 206.

[28] Cf. ash-Sharīf ar-Raḍī, *Dīwān*, 178. The poet, *Dīwān*, 225, also speaks of "the feeling of the arrow by a big gambler" (*kamā ghamaza l-qidḥa l-khalī'u l-muqāmiru*). This is clearly a literary recollection of *maysir* practice, but if *ghamaza* is meant here to refer to the handling of the arrow, this would be something for which, in the official game, the player himself would have no opportunity, and it is, as we have seen, something to be strictly avoided by the individual in charge of the drawing.

[29] Cf. at-Tawḥīdī, *Ṣadāqah*, 194. A piper's hand is filled with nothing but intangible and disappearing air coming out of the flute. The phrase here is hardly to be connected with "az-Zāmir b. Murrah," mentioned in al-Azdī, *Ḥikāyat Abī l-Qāsim*, 95, see Mez's remarks on p. LI.

[30] As in the proverb mentioned below, p. 120.

the variant reading *maghmūr* "obscure, abject" occurs, and it is difficult to decide which reading deserves preference.[31] However, a similar variant reading is also attested elsewhere, and there the context definitely favors *q-m-r*: "Far advanced in *adab*, never defeated (*yuqmar*) with respect to this prize (*nadab*)."[32]

There are some individual terms and roots of wide general use to which a gambling connotation may have been attached at some early, even very early and remote, date and in the course of time become their dominant semantic trait. All that can be said in this connection is highly conjectural, since original meanings are usually quite beyond our grasp. For instance, it is not entirely inconceivable that the general meaning of the root *q-s-m* "to divide" was derived from divination practices based on casting lots. This is suggested by the situation in Hebrew (*q-s-m*) and Syriac (*q-ṣ-m*) as well as Arabic uses of the root meaning "to swear, to divine." It is a possibility that was much discussed by the philologians of the nineteenth century without, however, reaching anything approaching a consensus.[33] One might also suggest that *ḥaẓẓ* "portion, luck" is in fact to be related to the old Semitic word for "arrow" and originally signified luck in gambling, even if the Semitic word survived in Arabic in a somewhat different form (*ḥaẓwah* "little arrow"). We are, it seems, on less uncertain ground with other roots. *Barraza* in the meaning of "being outstanding" was apparently a racing concept. The gambling connotation of *khaṭara* may have been original or, at least, have been present already during the prehistory of Arabic, comparable to *s-b-q*. In the case of *gharar* "risk," the original meaning presumably was "deception," but it could have been colored by its application to gambling. It would seem clear, though, that *fāza* is very likely to have started out from the "coming out" of the arrows in gambling games and then acquired the general meaning of being successful, down to the metaphysical meaning of *fawz* as ultimate bliss. All these linguistic features are ancient in the language and had largely become detached from gambling in the speaker's consciousness. For the evaluation of the role of gambling in Islamic

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[31] Cf. al-Jāḥiẓ, *Bayān*, II, 183 f., III, 336; at-Tawḥīdī, *Ṣadāqah*, 388. The collection of the poems of al-Aḥwaṣ prepared by ʿĀdil S. Jamāl and Sh. Ḍayf, 107 (Cairo 1390/1970), quotes the *Bayān* as its only source for the verses.

[32] Cf. al-Bākharzī, *Dumyah*, I, 490.

[33] Cf. E. Doutté, *Magie et religion dans l'Afrique du nord*, 128 (Algiers 1909), who mentions H. L. Fleischer as having assumed magic origin for the root meaning.

times, they must be written off as being of minor significance.

Material directly attested in Islamic literature must be viewed differently. In Muslim belles lettres, prose composition takes second place to poetry; it has also been much less studied by modern scholars. While prose literature yields some references to gambling, they are fewer than those to be found in poetry. An important prose form in the Near East was the proverb, by right transmitted orally but also avidly pursued by medieval authors for use in literary creations. Among Arabic proverbs, we find "greedier than a losing gambler" (*aṭmaʿ min al-maqmūr*). He is so greedy, because, as a somewhat superfluous explanation spells it out for us, "he always wants to get back what he lost."[34] This was the ultimate degree of self-defeating greed. It was to be considered as something truly mean and dirty. Consequently, the phrase "greed of the losing gambler" could be used as one of those fanciful epithets of abuse which Arabic littérateurs were fond of making up.[35] "Putting one's hand between one of two lost causes (*maqmūratān*)" meant chosing between two evils.[36] One of the proverbs known already to T. Erpenius in the seventeenth century spoke of "most people liking to be on the side of the winner" (*an-nās aktharuhum sharīk al-qāmir*).[37]

We are unable to assess the extent of the spread and popularity of proverbs such as "greedier than the losing gambler" or the related "more ashamed than a losing gambler."[38] Individual proverbs are well known for having had a rather short life and an uncertain geographical distribution in the Muslim world. Proverbs such as these might possibly have enjoyed a comparatively wide and lasting use. On the other hand, certain proverbs that entered the proverb literature and continued being quoted in it were, in Islamic times, no

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[34] Cf. Ḥamzah al-Iṣfahānī, *Durrah*, 292; (Abū Hilāl) al-ʿAskarī, *Jamharat (al-amthāl)*, ed. M. Abū l-Faḍl Ibrāhīm and ʿAbd-al-Majīd Qaṭāmish, II, 14 (Cairo 1384/1964); al-Maydānī, *Arabum Proverbia*, II, 51; az-Zamakhsharī, *Mustaqṣā*, I, 226; *Lisān*, XI, 158, *s. rad. ʿ-ṭ-f.* Cf. also the story of the *muṭammiʿ*, below, p. 144.

[35] Cf. al-Badīʿ al-Hamadhānī, *Maqāmāt*, 380 (Cairo 1381/1962), trans. Prendergast, 165.

[36] Cf. al-Azharī, *Tahdhīb*, IX, 149. Perhaps, *maqmūrah* here is the chess term meaning a game that might be won or lost.

[37] Cf. T. Erpenius, *Grammatica Arabica*, in the edition of J. Golius, II, 118 (Leiden 1656). Al-Maydānī, *Arabum Proverbia*, II, 798, has a slightly different version *(an-nās atbāʿ man ghalab)*. The Arabic original of Erpenius's collection has not yet been identified.

[38] Cf. al-ʿAskarī, *Jamharah*, I, 432, who says that it is a well-known proverb; al-Maydānī, *Arabum Proverbia*, I, 467.

more than literary reminiscences. All of them owed their existence to the pre-Islamic fondness for *maysir* and horse racing. "More of a *maysir* player than Luqmān" (*aysar min Luqmān*)[39] and "Meaner than a *baram*" (*al'am min al-baram*)[40] probably had been popular in times long past. Quoting the second proverb, Ḥamzah al-Iṣfahānī rightly remarked that the institution of *maysir* no longer existed and that, therefore, the proverb was no longer in use. "So-and-so is a *baram* who possesses no generosity" (*mā fīh karam*) was mentioned as late as the time of Ibn Kamālpāshā.[41] "Shaking and drawing (*mujīl*) the arrow, while the camel offered as the prize is still grazing"[42] is picturesque enough, but it was apparently not much quoted, not even in the proverb literature. Stake racing as the foil for proverbs is attested by quite a few entries in al-Maydānī's collection. Some were also known already to Erpenius. Only experience can show an individual's true qualities: "At the race do the winners become known" (*'ind ar-rihān tu'raf as-sawābiq*). Wanting something unattainable is supposed to be the meaning of "Kilāb's ox is the slowest in the race" (*thawr Kilāb fī r-rihān aq'ad*).[43]

In the vast literature that has preserved for us the artistic prose of "epistles" or "documents" (*rasā'il, inshā'*) in all its amazing virtuosity, gambling forms the subject of a "note" (*ruq'ah*) by the famous author of the *Yamīnī*, the history of Maḥmūd of Ghaznah, al-'Utbī (d. 413/1022). It was quoted in the *Yatīmah* of al-'Utbī's contemporary, the prolific ath-Tha'ālibī.[44] It is a most interesting little document that deserves to be translated here in full:

A note to a friend
who gambled for, and lost, valuable books

"Tribulations, dear Sir, are suspended between two wings, the wing

[39] Cf. al-Mufaḍḍal aḍ-Ḍabbī, *Amthāl*, 76; Ḥamzah al-Iṣfahānī, *Durrah*, 437; al-'Askarī, *Jamharah*, II, 436; az-Zamakhsharī, *Mustaqṣā*, I, 449; al-Maydānī, *Arabum Proverbia*, II, 938.

[40] Cf. Ḥamzah al-Iṣfahānī, *Durrah*, 374; al-'Askarī, *Jamharah*, II, 220; al-Maydānī, *Arabum Proverbia*, II, 561. On *baram*, see above, p. 75.

[41] Cf. Ibn Kamālpāshā, *Rasā'il*, 365. Ibn Kamālpāshā's source apparently was al-Muṭarrizī's commentary on al-Ḥarīrī's *Maqāmāt*.

[42] See above, Ch. III, n. 33.

[43] Cf. T. Erpenius, *Grammatica Arabica*, II, 115, 112 f.; al-Maydānī, *Arabum Proverbia*, II, 131, I, 168.

[44] Cf. ath-Tha'ālibī, *Yatīmah*, IV, 284, and Mss. Istanbul Veliuddin 2708, fols. 704a-705a (apparently, the best among a number of excellent manuscripts), Laleli 1959, fols. 597b-598a, and Topkapısarayı Revan Köşk 716, fol. 546b. (For Istanbul mss. of the *Yatīmah*, cf. C. E. Bosworth, in *Journal of Semitic Studies*, XVI, 1971, 41-49, and T. R. Topuzoğlu, in *The Islamic Quarterly*, XV, 1971, 62-65.)

of determinism *(taqdīr)* and the wing of bad management. A man need not make apologies for whatever tribulations come from predetermination *(miqdār)*. But there is no one to help him deal with those which his own hand has handed out and his own mouth has breathed forth. The (rolling) axes *(fuṣūṣ)* of the revolving spheres contain what makes superfluous the (rolling) pieces (*fuṣūṣ* "dice") of decaying bone, unless, indeed, the searching eye is blinded and the reflective and impressionable ear deafened. (So it is,) by God who is in charge of guidance to the right and straightforward road!

I have heard about your risking what you had accounted[45] to be the choicest and most sparkling spoils of literature[46] and the cream of the ages, so that they were won by snatching hands and snatched up by grasping greed, with the result that you were robbed with no robber doing the robbing, and fatally stricken without the intervention of sudden death. Oh, how great a swindle it is that makes it necessary to pay,[47] sets the teeth on edge, cuts the finger, and confuses eye and tongue!

Yes, Sir, the poor choice you made[48] and the ugly effects you have suffered touch and disturb me as much as they can be expected to touch and disturb one who considers you part of his own flesh and blood and who makes no distinction between you and himself, when he is away (from you) and when he is together (with you).[49] However, it is the nature of rational souls to shun one who does not handle himself right, and to leave him who fails[50] to think about what is beneficial for himself in all his affairs. He who neglects to do what is beneficial for himself will be even more neglectful of doing what is beneficial for others, and he who is incapable of managing his own special concerns will be even more incapable of managing (the affairs of) others.

May God inspire you with the patience to bear what you have done and arm you with consolation about the morass into which you have sunk by your own fault. And may He make this one (tribulation?) something to arouse you from the sleep of error and to keep you from the ways of fools. It is not yet too late in life for you to wake up, and you still have enough money to be concerned. Beware of letting yourself be seduced to repeat that unbecoming business. It will take from you more than it might give you, and annoy you more than it might please you. If God wants you to have what is good for you, He will guide you and help you, now and always."

It is instructive to compare this half playful, half serious epistle with the Greek letter of Singlefield (Monochôros) to his friend Dice-lover (Philokybos) from the late Hellenistic collection of letters of a

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[45] The mss., too, have *i'tadadtahū*. It appears to have the above meaning, although it is not attested for this root in the eighth conjugation.

[46] Ms. Veliuddin seems to have *al-arab* "skill" or the like, possibly the more original reading.

[47] Following the vocalization of Ms. Veliuddin *(yulzim al-maghram)*.

[48] *Ikhtiyār* seems to be the reading attested, although *ikhtibār* "the bad experience you have had" would make good sense.

[49] Lit., in his loneliness and in his intimacy.

[50] Read *yughfil*, for *ya'mal*. Ms. Veliuddin has *tanfir 'am-man yughfil*.

certain Aristaenetus, which was composed no earlier than the fifth century A.D.[51] The Aristaenetus letter is, of course, entirely fictional, as shown already by the names of the correspondents. However, al-ʿUtbī, too, is quite likely to have made up his text with no concrete addressee in mind. Singlefield complains to Dicelover about the terrible twin calamities that have befallen him, one of them bad, and the other not better. Both his girl and the rolling dice (*pessoi*) have turned out bad for him and much more favorable to his rivals and opponents than to himself. When he is gambling with them, he goes out of his mind thinking of his love, and then he plays carelessly and makes mistakes.[52] And with the money he loses to them, his rivals can afford to be more generous to his paramour and in this way administer another painful defeat to him. Thus, both misfortunes reinforce each other.

The differences between the two texts are noteworthy. Aristaenetus's letter, of about the same length as that of al-ʿUtbī, is consistently frivolous but retains throughout an ingratiating charm. Amorous pursuits and gambling may both be folly. However, neither provokes disapproval or censure. They are human follies and as such understandable and forgivable. They are individual follies. They call for no reflection whatever as to the possible consequences they might have for the general welfare of society; in fact, nobody apart from those immediately concerned cares about what is going on. To al-ʿUtbī, his friend's gambling appears in a totally different light. In spite of the rather lighthearted tone struck by him, he is fully aware that he is dealing with a deadly serious matter, touching the most essential problems of human life. Human life is afflicted by the misfortunes brought about by fate as well as by those resulting from the free decision of man. Gambling is something that human beings do by choice. Thus, they have only themselves to blame for any losses they may suffer. Their activity becomes even more objectionable, when the risk taken involves

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[51] Cf. Aristaenetus, *Letters*, I, 23, ed. R. Hercher, *Epistolographi Graeci*, 153 (Paris 1873). For the interpretation of the name Monochōros, cf. the translation of A. Lesky, *Aristainetos: Erotische Briefe*, 92 f., 161 (Zürich 1951).

[52] This is a topic encountered in Arabic chess literature, cf. Wieber, *Schachspiel*, 126. It happens, for instance, to the lover in the *Arabian Nights*, while playing with his lady, cf. ed. Macnaghten, I, 375, IV, 194 ff., trans. Littmann, I, 531 f., V, 561 ff. (49th and 846th to 847th nights). For the latter passage, see below, Ch. V, n. 30.

valuable objects, in particular objects of value for the life of the mind and the spirit. Furthermore, gambling is an affront to reason. Therefore, in addition to the individual misfortune he invites, the gambler also places himself outside the company of human beings whose main claim to distinction in this world is their ability to reason. It is prudent for his friends, and for society as a whole, to shun him. He is thus cut off from participation in the normal functioning of the community. His only hope lies in mending his ways and trusting in God's support which will be forthcoming when his behavior has improved, and save him as an individual and as a member of society.

Where the littérateur in the Hellenistic tradition saw only an amusing foible, his Muslim colleague, though he tries hard to see the humor in human failings, cannot help at the same time viewing them as a theologian and moralizer. His friendly banter becomes a stern sermon. Looked at realistically, gambling deserves to be condemned for the harm it does not only to the individual but also to society. It is a matter of concern to man and to his God. It is not impossible that similar works were composed by Muslim writers of artistic prose who took a more lenient and less serious attitude. And perhaps, the comparison of al-ʿUtbī with Aristaenetus is not really a fair one, and Aristaenetus's imaginative little opus should rather be compared with those occasional verses of poets who like him combined the subject of gambling with that of love and refrained from moralizing.

Gambling verses are attested early in Muslim literature. However, the old *maysir* verses so laboriously collected by the philologians may be said to be restricted as a rule to using *maysir* imagery in order to characterize the ordinary situations and concerns of the poet. They are not meant to bring out the gambling aspect of the game as something of independent interest. They are at best an indication of a continued literary tradition. Tradition, rather than concern with gambling, may also have played a certain role in the references of later poets to gambling. However, many of them wrote couplets or other comparatively short compositions that relied on gambling as such for creating a poetic entity.

Among old verses, not only those connected with *maysir* but also those referring to dice, or rather astragals (*kaʿbatān*, *kiʿāb*), were not keyed to making statements about gambling as such. They did not go beyond incidental aspects such as the clatter made by dice

and the fact of their constantly being moved around.[53] But already in the first century of Islam, we find verses ascribed to Muslims reflecting in a way on the pernicious effects of gambling. Thus the great-grandson of the caliph Abū Bakr, Ibn Abī ʿAtīq, was brought into connection with these verses:

God has taken your livelihood away from you.
You have gambled away your substance,[54] and how!

You have spent your property carelessly
On every whore you could find and on wine.[55]

Supposedly, these verses were spoken by a wife of Ibn Abī ʿAtīq with reference to him. He wrote them down on a piece of papyrus and read them to ʿAbdallāh, the son of the caliph ʿUmar. Now, Ibn Abī ʿAtīq was one of the old Muslims who had a reputation for jocularity and a loose and somewhat lascivious wit. This story is cited as an example of these qualities, considered unworthy of a man of his standing in society. Its genuineness, and thus its early date, are suspect. Moreover, the verses as quoted by an-Nuwayrī contain no reference to gambling and presuppose the existence of another version which may have been more original than the one involving gambling.

In verses describing a woman he loved who had married another man, Ibn Qays-ar-Ruqayyāt exclaimed:

I stood there like one who had lost the best of his possessions in gambling.
This is madness. It is not love.[56]

Early in the eighth century, Nuṣayb b. Rabāḥ described the desire for the company of pretty young girls in terms of gambling:

Would that gambling were legal,
So that I might have gambled for them!

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[53] Cf. *Wörterbuch der klassischen arabischen Sprache*, Letter *K*, 230a.

[54] *Lubbaka* "heart, sense," as found in the *ʿIqd*, is by far the best reading. Al-Jāḥiẓ has *laylaka* "you gambled all night long," and ash-Sharīshī *mālaka* "your property."

[55] Cf. al-Jāḥiẓ, *Tāj*, ed. A. Zakī Pasha, 130 f. (Cairo 1322/1914), trans. C. Pellat, 151 (Paris 1954); Ibn ʿAbd-Rabbih, *ʿIqd*, II, 470 f.; ash-Sharīshī, *Sharḥ al-Maqāmāt*, II, 292 f. See also an-Nuwayrī, *Nihāyat al-arab*, IV, 5 (Cairo 1342—, reprint ca. 1965). On Ibn Abī ʿAtīq, cf. F. Rosenthal, *Humor*, 12, n. 1; C. Pellat, in *EI*², *s.v.*

[56] Cf. Ibn Qays-ar-Ruqayyāt, *Dīwān*, ed. N. Rhodokanakis, 103 (Vienna 1902, *Sitzungsberichte der k. Akad. d. Wiss., philos.-hist. Kl.* 144); al-Madā'inī, *Murdifāt*, ed. ʿAbd-as-Salām M. Hārūn, *Nawādir al-makhṭūṭāt*, I, 65 (Cairo 1370/1951); *Aghānī*, III, 103 f. (*Aghānī*³, III, 319 f.), where al-Ḥārith b. Khālid (above, Ch. III, n. 27) is the poet.

Then they would have become mine, even at the risk of my losing all my property in gambling for them.
That would, indeed, be profit, if only it were known what (profitable) trading is (really) all about.[57]

It is, above all, in love poetry that the gambling imagery found its home. Occasionally, other aspects were touched upon. Thus, the prominent ninth-century littérateur and boon-companion Ibn Ḥamdūn would break into verse to complain about his gambling losses which threatened to impoverish him and his family.[58] Or a contemporary of Abū Nuwās, the poet ʿAmr b. ʿAbd-al-Malik al-Warrāq, would describe people as mere asses, if they did not indulge in all forbidden vices, among them:

If you do not gamble at chess
And do not pay off the stake at *nard*.

If you do not indulge in the game of date pits,
So that your money is taken away from you, or it is a draw *(bawā')*.[59]

Abū Nuwās himself has a long poem in dialogue form, recommending the transgression of all religious duties and indulgence in the pleasures of this world. The poem concludes with the exhortation "to adorn all these qualities of yours with gambling *(qimār)*."[60] Similar in character are Abū Nuwās's poem on Satan's nocturnal temptations[61] and, to some degree, the cynical verses ascribed to Abū l-ʿAlā' al-Maʿarrī that claim that there is legal support for all vices.[62] No doubt, much of this sort was afloat since early ʿAbbāsid times and throughout the ninth century.

The tenth century saw a good deal of gambling imagery used in poetry. We have an example of what was possible at that time in the *Dīwān* of aṣ-Ṣanawbarī (d. 334/945), whose life spanned the first half of that century:

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[57] Cf. the edition of Nuṣayb's poems by D. Salloum, 88 (Baghdād 1968).

[58] Cf. ash-Shābushtī, *Diyārāt*, 7 f. For Aḥmad b. Ibrāhīm b. Ḥamdūn, see J.-C. Vadet, in *EI*², III, 783 f.

[59] Cf. ash-Shābushtī, *Diyārāt*, 111. For the date pit game, see above, Ch. II, n. 182.

[60] Cf. Abū Nuwās, *Dīwān*, 268 (Beirut 1382/1962). No doubt in conscious imitation of Abū Nuwās, Fakhr-ad-dīn Ibn Makānis playfully addressed a contemporary devoted to gambling:

And if you desire perfection, add your gambling to this description *(wa-idhā rumta kamālan—zid li-dhā l-waṣfi qimārak)*.

Cf. Ibn Makānis, *Dīwān*, Ms. Istanbul Aya Sofya 3954, fol. 13b.

[61] Cf. Abū Nuwās, *Dīwān*, 554 f. See F. Rosenthal, *The Herb*, 151, n. 1 (Leiden 1971).

[62] See above, Ch. III, n. 104.

Fate, you have deprived me by gambling of my life whose
Lost stake is the best of stakes.[63]

If the chess board is brought in,
Woe unto everyone present!
Those who play cannot avoid
Either winning or losing.[64]

We asked for the hand of the wine skin
With the dowry coming from gambling winnings.[65]

He who wagered *(bāya'a)* that I would not get anything
That I was promised, has won the gamble.[66]

Now you know, gambler, who of the two opponents is the greater gambler.
.....
And you played *suddar* upon
The pulpit crowded with the appurtenances of the mass.[67]

For the combination of gambling and wine drinking, there is also a verse by a twelfth-century poet, Ibn Rūbīl al-Abbār (d. 532/1137-8):

My wife was led astray to drinking wine.
She made me dwell next to the gambling house.[68]

For elements from nature poetry combined with gambling, we have an example in a poem on *nard*. Like chess, *nard* was very often the subject of poetry, but most of the chess and *nard* verses have only a marginal connection with gambling as such, and they will as a rule not be considered here, unless they expressly mention gambling. Manṣūr al-Harawī tried to get a friend away from his constant *nard* playing at the time the roses were in bloom. To this end, he concluded his description of the pleasures of an outing to enjoy flowers, wine, and song, with the verses:

Thus, choose the rose *(ward)* over
Nard, and come, let us go on a walk![69]

An especially important kind of gambling poetry is that dealing with the comparison of gambling with blind fate. It will be discussed

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[63] Cf. aṣ-Ṣanawbarī, *Dīwān*, ed. Iḥsān 'Abbās, 105 (Beirut 1970).
Here, *maqmūr* "loser" may be "lost stake." The person mourned in the poem was the stake that made the poet's life a winning proposition. Now, fate has won because of the death of the person who was the poet's life (?).

[64] Cf. aṣ-Ṣanawbarī, *Dīwān*, 125.

[65] Cf. aṣ-Ṣanawbarī, *Dīwān*, 72

[66] Cf. aṣ-Ṣanawbarī, *Dīwān*, 93.

[67] Cf. aṣ-Ṣanawbarī, *Dīwān*, 120 f.

[68] Cf. al-'Imād al-Iṣfahānī, *Kharīdah* (Syrian poets), I, 262.

[69] Cf. ath-Tha'ālibī, *Tatimmat al-Yatīmah*, II, 52. On Manṣūr al-Harawī, see above, Ch. II, n. 52.

in Chapter VI. Here only an example transmitted by aṣ-Ṣafadī as the work of Ibn Dāniyāl:

With the dice (pieces, gems, *fuṣūṣ*), our game
Is sent hither and yon, like upright (astragals ?).[70]
They flash in our palms
Like jewels in a necklace.
They deal with our common possessions
As destiny does with dynasties.[71]

Although gambling images may be used in various connections, as we have just seen, still, their proper place is love poetry. Gambling for erotic stakes appealed to poets. Thus Ibn Dāniyāl played chess "for the stake of a kiss as a cure for (his) heart from the burning passion," and he went on to describe his lovemaking in terms of a game of chess.[72] There was the pretty player with whom the poet fell in love. If he were not so fond of gambling, the poet would have no opportunity to be together with him:

I played dice with one
Whose beauty is shared by no one.
But for (the dice), I would not be near him.
Not all dice are (thus) blessed.[73]

The same idea appears in a slightly different form in the verses of another poet of the same time, Ibn Ḥabīb al-Ḥalabī (710-779/1310-1377):

In my lover's hands to overcome me
Are dice for a game not shared (by anybody else).
It gives me alone the privilege of being near him.
These are indeed blessed dice.[74]

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[70] *Ka-l-muththali*. Probably, the "standing" *ki'āb*, which, during the game, fall all over the place. They appear already in Shanfarā's celebrated *Lāmīyat al-'Arab*, 54 (Constantinople 1300), cf. also E. Littmann, *Abessinische Parallelen zu einigen altarabischen Gebräuchen und Vorstellungen*, in *Beiträge zur Kenntnis des Orients*, VI (1908), 52-54.

[71] Cf. aṣ-Ṣafadī, *Ghayth*, II, 52.

[72] Cf. Ibn Dāniyāl, *Dīwān*, fol. 147a:
rāhantuhū min (?) qublatin yashtafī
bihā fu'ādī min jawā l-waqdi.

[73] Cf. aṣ-Ṣafadī, as quoted by al-Badrī, *Ghurrah*, fol. 128a:
la'ibtu bi-l-ka'bi ma' man
fī ḥusnihī lā yushārak
lawlāhu lam adnu minhu
mā kullu ka'bin mubārak.

[74] Cf. al-Badrī, *Ghurrah*, fol. 128a:
fī yaday ḥibbī li-ghulbī
ka'bu li'bin lā yushārak
khaṣṣanī bi-l-qurbi minhu
inna dhā ka'bun mubārak.

"Love is a gamble" was the blunt statement of the author of a *zajal*.[75] Boasting of the many flocks of frisky girls often encountered by him in the city of ar-Raqqah, aṣ-Ṣanawbarī described the ensuing amorous banter as a gamble:

> They gambled with me for my heart *(lubbī)* with all kinds of games.
> They defeated me and took it away.[76]

The outcome of the gambling match between lover and beloved is never in doubt. The twelfth-century Wuḥaysh al-Asadī expressed this thought in these verses, which constitute the beginning of a long *qaṣīdah* addressed to Nūr-ad-dīn:

> Look! The gazelle here with the luminous eyes *(aḥwar)*,
> Which is feared by the strong lion,
>
> Gambles with the heart aided by its eyelids.
> It is no secret who of us will win.[77]

Love as well as gambling involves money. With his playfulness, a pretty boy may enslave his lover, and gambling with him will take away all the money he owns:

> A dice player who has enslaved me with his playing—
> He took away all the gold I had earned with his dice.[78]

Apparently, the same theme is the subject of the following verses by a certain Muḥammad al-Azhar:

> A *nard* player whom I had tried everything to join,
> But who was not satisfied with getting what he got—
>
> When he saw that I had money with me,
> I noticed he was generous and pleased to play with me.[79]

If translated correctly, these verses may mean that the poet had tried to win his beloved with money and gifts. He had rejected his

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[75] See below, n. 110.

[76] Cf. aṣ-Ṣanawbarī, *Dīwān*, 56.

[77] Cf. al-ʿImād al-Iṣfahānī, *Kharīdah* (Syrian poets), I, 244.

[78] Cf. al-Badrī, *Ghurrah*, fol. 128a. The poet is a certain Ibn Labbaykum about whose life and name I have no information, although he is often quoted:

wa-lāʿibin bi-l-kaʿbi qad
tayyamanī bi-liʿbihī
adhhaba mā ḥaṣṣaltuhū
min dhahabin bi-kaʿbihī.

[79] Cf. al-Badrī, *Ghurrah*, fol. 128a:

wa-lāʿibin bi-n-nardi qad sumtuhū
waṣlan fa-lam yarḍa bi-nayli thawāb
wa-mudh raʾā anna maʿī dirhaman
abṣartuhū jāda bi-nardin wa-ṭāb.

Perhaps, the second line of the first verse is intended to mean, "was not gracious enough (letting me) obtain a reward."

advances, but he was so much devoted to *nard* that he was willing to play with the poet for money and thus give him the opportunity to enjoy his company.

The most frequent use made of the gambling imagery resulted from the fortunate circumstance that one of the words for "moon," *qamar*, had the same root consonants as gambling. And "moon" was the ordinary metaphor for a beautiful face and its owner. Where there is no explicit and unambiguous reference to gambling in verses of this kind and only the simple *qamara*, followed by the object in the accusative, is used, the gambling idea may often have been secondary in the poet's mind to the idea of capturing by deception, which was considered the root meaning from which that of gambling developed.[80] However, the direct connection with gambling is present so often that we can assume it to have never been absent, even in the less obvious cases.

We would be hard pressed for an answer to the question when this seemingly rather natural play on words made its first appearance in Arabic poetry. It is first attested in the tenth century. Kushājim, in the first half of that century, speaks of "gambling merrily (*qāmara bi-l-lahwi*, var. 'with life' *bi-n-nafsi*) for the love of a moon (*qamar*) and achieving intimacy with full moons by means of sums of money (*al-budūri bi-l-bidari*)."[80a] The Ṣāḥib Ibn ʿAbbād is credited with three verses which playfully use a well-known *ḥadīth* stating that a thief who steals the pith or fruit of date palms should not have his hand cut off:

A slender one who makes the moon superfluous[81]
Has won my heart (gambling) with his languid looks.

I tried to snatch his rosy cheek,[82]
With no mercy and without warning.[83]

Some people frightened me, but I said to them,
"There is no amputation in connection with fruit or pith."[84]

The same verses were also ascribed to Ṣāʿid b. al-Ḥasan ar-Rabaʿī

[80] See above, p. 2, and below, p. 134.

[80a] Cf. Kushājim, *Dīwān*, ed. Kh. M. Maḥfūẓ, 237 (Baghdād 1390/1970).

[81] As-Silafī has, "is more brilliant than the moon."

[82] Lit., the apple of his cheek. The poet stole kisses from his beloved and left none to others. He thereby exposed himself to the punishment prescribed for thieves.

[83] As-Silafī has here a gambling term, "and succeeded in taking it from him at great risk (*ʿalā gharar*)."

[84] Cf. ath-Thaʿālibī, *Yatīmah*, III, 89. The *Yatīmah* is the only source for the verses in M. Ḥ. Āl Yāsīn's edition of Ibn ʿAbbād's *Dīwān*, 231.

(d. 417/1026, or 419), who lived a generation after the Ṣāḥib Ibn ʿAbbād. This attribution is found in the *Muʿjam* of as-Silafī.[85] We may, perhaps, assume that Ṣāʿid ar-Rabaʿī merely quoted Ibn ʿAbbād, and the reporter of the story told by as-Silafī mistook him for the author of the verses. However this may be, the use of the gambling-moon combination is definitely established for at least the tenth century.

In the generation succeeding that of Ṣāʿid ar-Rabaʿī, truly exuberant verses in this vein were composed by Manṣūr al-Harawī. They turn around the idea that a lover would try, as a matter of course, to let his beloved win, so that he would be all the more handsome when he was flushed with victory:

A gazelle whose languid eyelids bring languidness to mankind—
The rose of beauty on his cheek spreads among the rose of bashfulness.[86]

I played dice with him, gently, till he won.
His face became more beautiful, when he (it ?) saw the face[87] of victory.

Thereupon, I raised a lover's cry,
"The moon has won, the moon has won" *(qamara l-qamar qamara l-qamar)*.[88]

Apparently, from about the same time come the verses of al-Ghawwāṣ an-Nīsābūrī:

Would that I knew someone willing to take my side and defend me against the harsh critic of my love for a moon,[89]
The desire for whom gambled with my heart and won the game,

A moon whom I love so very much that I am left
With hardly more than "moon" *(qamar)* read backwards (*ramaq*, a last breath of life).[90]

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[85] Cf. as-Silafī, Ms. Dublin Chester Beatty 3880, fol. 234b. On Ṣāʿid ar-Rabaʿī, cf. Brockelmann, *GAL, Suppl.*, I, 254.

[86] In the place of the first two lines, al-Ḥaẓīrī has:
One with curly locks on whose cheeks a rose is spread
(wa-muʿaqrabi l-aṣdāghi fī khaddayhi wardun muntashar).

[87] Al-Ḥaẓīrī offers the inferior reading "the beauty."

[88] Cf. ath-Thaʿālibī, *Tatimmat al-Yatīmah*, II, 50; al-Ḥaẓīrī, *Lumaḥ al-mulaḥ*, Ms. Bodleian Hunt. 274, fol. 86a. A reading *qamira* "shines" must be ruled out.

[89] Al-Ibshīhī has "for a gazelle."

[90] Cf. ath-Thaʿālibī, *Yatīmah*, IV, 319; al-Ḥaẓīrī, *Lumaḥ al-mulaḥ*, fol. 70a (Ms. Istanbul Topkapısarayı Ahmet III 2344, fol. 63a-b); al-Ibshīhī, *Mustaṭraf*, II, 221.

For *qamar-ramaq*, cf. also a verse by a certain Abū ʿAlī al-Ḥasan b. Farrāḥ al-Muʾaddib, cited by as-Silafī, Ms. Dublin Chester Beatty 3880, fol. 91b, and, in particular, the many examples in al-Badrī, *Maṭāliʿ*, fols. 24b-29a. Al-Badrī also quotes examples for the visual play on words between *qamar* and *fa-mur*.

Al-Ghawwāṣ tells us in these verses that the traditional obstacle on the way to the fulfillment of true love is the cold and unfeeling outside world with its inclination to gossiping about lovers and finding fault with their infatuation. The beauty of the beloved deserves comparison with the moon. The word for moon read backwards yields the Arabic word for last breath of life.

An anonymous poet quoted by al-Ḥaẓīrī may also have lived in the eleventh century:

> O moon that has (gambled with and) defeated mankind!
> O party in which you have become the talk![91]

And so did Aḥmad b. Muḥammad al-Mūrī al-Adībī:

> His face caused the moon to rise for men.
> With his glance he (gambled for and) won the pious man's heart.[92]

A minor poet of the twelfth century nicknamed Shala'la' spoke of

> A moon, in passionate love for whom my heart gambled
> For serenity but received instead the fire of deep fatigue.[93]

There was, however, no love involved when a littérateur of those days, who was also an outstanding chess and *nard* player, was

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[91] Cf. al-Ḥaẓīrī, *Lumaḥ al-mulaḥ*, fol. 86a:
a-yā qamaran li-l-warā qad qamar
wa-yā samaran ṣirta fīhi samar.
Li-l-warā is the accusative object, see also below, nn. 98, 101, 111. The preposition is likely to have been used here, because the object precedes the verb. However, *li-*for introducing the direct object became quite common in Arabic in the course of time, cf., for instance, J. Blau, *A Grammar of Christian Arabic*, 414 f. (Louvain 1966-1967). Blau refers to A. Fischer, in *Sitzungsberichte der k. Sächsischen Ges. d. Wiss., phil.-hist. Kl.* LXII (1910), 161-188, and H. Reckendorf, *Arabische Syntax*, 247 f. On the range of meaning of *qamar-samar*, see Lane, 1425b.

I do not think that the poet here intended *qamir (= aqmara)*, "O moon that has risen to shine for mankind." This possibility, however, exists in a *dū bayt* of Ibn 'Arabī quoted in an-Nawājī, *Khal' al-'idhār*, Ms. Escorial 340, fol. 17a; "I give my life for a moon that has risen to shine for his lovers..." *(afdī qamaran li-'āshiqīhi qamirā)*, although *qamirā* rhymes with *hajarā*. Both meanings, that of "dazzling with light" and that of "defeating in gambling" were probably fused in the poet's mind, as in the verse of 'Ayn Baṣal, below, p. 133.

Cf. also Ṣafī-ad-dīn al-Ḥillī (d. 749/1349), *'Āṭil*, ed. W. Hoenerbach, *Die vulgärarabische Poetik*, 21, text, 100. Hoenerbach translates: "I love a moon...my mind is restless (in the moonlight, *'aqlī qamar*)." He refers to further occurrences in the poetry of al-Amshāṭī. Apparently, he thinks of the meaning indicated for *qamira* in Lane, 2562b, "to be(come) sleepless in the night." Where there is no gambling context and the verb can be understood as intransitive, this could conceivably have been the idea in the poet's mind.

[92] Cf. al-Bākharzī, *Dumyah*, I, 249.

[93] Cf. al-'Imād al-Iṣfahānī, *Kharīdah* (Egyptian poets), II, 126.

praised as "a moon who was always winning the hearts by his wit," for his name was Qamar-ad-dawlah "Moon of the Dynasty."[94] Among his many labored attempts at originality, the littérateur al-Ḥaṣkafī (d. 551/1156) produced four verses in praise of wine, whose rhyme words were, respectively, *al-qamārī* "doves" (a favorite with poets, especially as a play on words with *qamar*), *al-q-mārī*, presumably an adjective derived from a place name, "the one that was forbidden to you together with *maysir*, allow it to be drunk by gamblers (*ahl al-qimāri*)!," and *al-aqmāri* "moons."[95] From the late twelfth century, we have the verse of Ibn Sanā'-al-mulk from one of his long poems:

> He has (gambled and) won the heart in serious play.
> How true speaks he who says, "The pretty one is a moon."[96]

A century later, Ibn al-'Afīf at-Tilimsānī asked in his third *maqāmah*: "Who is this moon that has turned out to have won my heart?"[97] And possibly about the same time, the unidentified author of a *dū bayt* wrote of the beloved whose languid glances were distracting the pilgrims from the proper performance of the pilgrimage:

> O heart! You have fallen in love on earth with a moon
> Who, were it to gamble in heaven, would defeat the full moon.[98]

Still belonging to the late thirteenth century, 'Ayn Baṣal al-Ḥā'ik (d. 709/December 1309) made this apparent contribution to the subject:

> A moon (beautiful face) rising upon a willow branch (a slender figure)—
> There is my mind lost (through gambling) (dazzled) by its light.[99]

It would seem that al-Ḥā'ik used *maqmūr* here in a double sense as indicated in the translation. *Maqmūr*, in fact, means "defeated in

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[94] Cf. al-'Imād al-Iṣfahānī, *Kharīdah* (Egyptian poets), II, 218.

[95] Cf. al-'Imād al-Iṣfahānī, *Kharīdah* (Syrian poets), II, 498.

[96] Cf. Ibn Sanā'-al-mulk, *Dīwān*, ed. Naṣr and Naṣṣār, II, 386.

[97] Cf. Ibn al-'Afīf at-Tilimsānī (see above, Ch. III, n. 106), Ms. Istanbul Aya Sofya 3843, fol. 175b: *man hādhā l-qamaru lladhī ghadā li-qalbī qāmiran.*

[98] Cf. the collection of *dū bayt* contained in Ms. Istanbul Topkapısarayı Ahmet III 2497 (Cat. Karatay 8185), fol. 105b:

yā qalb la-qad hawīt fī l-arḍi qamar
law qāmar fī s-samā' li-l-badri qamar
min ayn lahū futūr alḥāẓi 'amar
kam min ḥijaj qad afsadathā (read qad-afsadat) wa-'umar.

The Ms. appears to have been written in the thirteenth century. The only poets mentioned in it by name are Fityān (ash-Shāghūrī, d. 615/1218) and 'Abd-ar-Razzāq an-Naqqāsh.

[99] Cf. aṣ-Ṣafadī, *Wāfī*, VI, 72.

gambling," whereas "dazzled," from *qamira*, could not appear in the form *maqmūr*, but such a meaning was apparently in the poet's mind. Losing his mind and reason is a common consequence of the lover's gamble, just as the moon by its light dazzles the beholder.

In the fourteenth century, attempts to weave "moon" and "gambling" into often complicated figures of speech enjoyed a considerable vogue. A couplet by Zayn-ad-dīn Ibn al-Wardī (d. 749/1349) uses the play on words with *qumrī(yah)* "dove" and "moon," but that makes sense here only if the root meaning of "to win in gambling" is understood to be further intended by both words:

> Two slender ones, a girl and a boy,
> Were playing *nard*.
> She said, "I am a dove *(qumrīyatun)*."
> I said, "Keep quiet! He is a moon *(qamar)*."[100]

It is tempting to read *qamartuhū* for *qumrīyatun*, to yield the sense, "It is I who have defeated him," and the poet answers, "He is a moon," meaning, "It is he who has won." However, the word used by Ibn al-Wardī no doubt was *qumrīyah*. Yet, nobody could miss the implication that she claimed to have won, and the poet claimed victory for the boy.

A *muwashshaḥ* poem of the immensely productive aṣ-Ṣafadī (d. 764/1363) contained the lines:

> I am deeply concerned with a full moon who has (defeated and) won the mind
> And surpassed the sun by day and the moon
> And whose glance has bewitched mankind.[101]

And in his *Wāfī*, aṣ-Ṣafadī quotes a certain Aḥmad b. al-Ḥusayn al-Masīlī, who appears to have been a contemporary of his, for the verse: "Beautiful moons have defeated and taken away (*qamarat*) my patience in passion."[102]

Ibn aṣ-Ṣā'igh (710-776/1310-1-1375) is represented by a couplet of which the punch line *mā aqmarak* can be understood to mean either

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[100] Cf. Ibn al-Wardī, *al-Kalām ʿalā miʾat ghulām*, Ms. Istanbul Topkapısarayı Ahmet III 2373, fol. 170a. The verses were quoted by al-Ghuzūlī, *Maṭālīʿ*, I, 80 f.; al-Badrī, *Ghurrah*, fol. 128b, and *Maṭālīʿ*, fol. 24a.

[101] Cf. Shihāb-ad-dīn al-Ḥijāzī, *Rawḍ al-ādāb*, fol. 101a:

bī badru timmin li-l-ʿaqli qad qamarā
wa-fāqa sh-shamsa n-nahāra wa-l-qamarā
wa-ṭarfuhū li-l-anāmi qad saḥarā.

According to my copy, the first line reads *al-ʿaqla*, which is against the meter *(munsariḥ)*. It is hardly *wa-l-ʿaqla*.

[102] Cf. aṣ-Ṣafadī, *Wāfī*, VI, 335. Cf. also Ṣafī-ad-dīn al-Ḥillī (above, n. 91).

"what a lucky gambler you are!" or "how shining like the moon you are!":

When the dark night's full moon turned to playing
Nard, throwing the dice like a net,[103]
And was outstanding in both his beauty and his game,
I exclaimed: By God, what a handsome gambler you are![104]

There is nothing strange in the same poet using the motif more than once in his work. In fact, this can be assumed to have been the ordinary state of affairs, if it was a prolific poet. We have an example in Ibn Ḥabīb al-Ḥalabī:

My companions asked, when my master played
Nard with some young men, entertaining the party:[105]
"Who has defeated whom?" I replied: "Wake up!
Do you not know that my beloved is a moon?!"[106]

And:

When I played the *nard* of beauty with one
For whom my love has left an imprint on the heart,
He took away my mind. Thus, wonder ye
At a moon who has won my heart and my eye![107]

Al-Qīrāṭī (726-781/1326-1379) speaks of the lover with whom he cannot get together and for whom he is willing to cast away his life:

My heart migrates toward you
Always, while you are moving away.
O moon for whom
I gamble with (my) life![108]

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[103] So as to catch the lover.

[104] Cf. al-Ghuzūlī, *Maṭāliʿ*, I, 80 f.; al-Badrī, *Ghurrah*, fol. 127b.

[105] This translation, considering *samar* as the object, is a mere guess. *Samar* may be the subject, and the meaning could be, "as the party reached its climax," or, according to Dozy, *Supplément*, I, 571 f., "as the party calmed down." The "master" is the beloved.

[106] Cf. al-Badrī, *Ghurrah*, fol. 127b, and *Maṭāliʿ*, fol. 24a:
yaqūlu ṣaḥbī ʿinda liʿbi mālikī
maʿ fityatin bi-n-nardi idh rāqa s-samar
man qamara l-ākhara qultu ntabihū
a-mā ʿalimtum anna maḥbūbī qamar.

[107] Cf. al-Badrī, *Ghurrah*, fol. 127b:
lammā bi-nardi l-ḥusni lāʿabtu man
fī ḥubbihī li-l-qalbi minnī athar (?)
adhhaba ʿannī dhahanī fa-ʿjabū
min qamarin qalbī wa-ʿaynī qamar.
"*Nard* of beauty" appears to be correct, and ought not to be read "*nard* of love *(al-ḥubbi)*." In the second line, the ms. appears to have *asar*, and not *athar*. This seems possible only if *asar* is to be understood as *asr*, "has put the heart in fetters." Instead of the final *y* in *dhahanī*, the ms. seems to have *w* (and no diacritical dots).

[108] Cf. al-Qīrāṭī, *Maṭlaʿ an-nayyirayn*, Ms. Istanbul Topkapısarayı Ahmet III 2627, fol. 224a, and Ms. Brit. Mus. or. 2913, fol. 126a:

Following upon verses on thieves, Shihāb-ad-dīn al-Ḥijāzī (790-875/1388-1471) entered a couplet on a pretty gambler in the selection of his poetry published by him:

A gambler I have fallen in love with
Whose beauty captivates mankind.
Yes, and I have never gambled with him
But that I saw him win (a moon).[109]

Finally, there are moon-gambling verses which cannot be dated precisely but which probably are also products of the fourteenth century. Thus, the *zajal* of a certain al-Ghubārī (?), which is dominated by the imagery of love poetry, sums matters up by this line:

They have defeated me in the love of this moon—
Love is a gamble.[110]

And an anonymous verse says:

I love him, a gambler who, when he walks about, gives the impression
Of being a bough on a hillock, with his face having (gambled for and) won the mind.[111]

The moon-gambling homonymy thus inspired quite a few verses. However, it did not enter the mainstream of the repertory of poetical figures. For many centuries, it appears to have never been entirely absent, but quantitatively, it was not strongly represented, especially if one thinks of the myriad verses describing the beloved as a moon. It remained on the sideline of occasional poetry, a witticism produced seemingly on the spur of the moment. Tradition and, possibly, aesthetic considerations that felt the image to be essentially barren of poetic appeal may have caused this state of affairs, but it could also be indicative of the fact that gambling, in contrast to certain other vices, was socially not acceptable enough to be included on its own terms in the ranks of high literature. Conse-

qalbī ilayka muhājirun
abadan wa-anta muhājiru
yā ayyuhā l-qamaru lladhī
bi-r-rūḥi fīhi uqāmiru.

109 Cf. Shihāb-ad-dīn al-Ḥijāzī, *Dīwān*, Ms. Escorial 475, fol. 172a:
muqāmirun hawīituhū—wa-ḥusnuhū yasbī l-bashar
naʿam wa-mā qāmartuhū—illā raʾaytuhū qamar.

110 Cf. al-Ibshīhī, *Mustaṭraf*, II, 265, trans. G. Rat, II, 564 (Paris and Toulon 1899-1902.)

111 Cf. al-Badrī, *Ghurrah*, fol. 128a:
hawīituhū muqāmiran
takhāluhū idhā khaṭar
ka-annahū ghuṣnu naqā
wa-l-wajhu li-l-ʿaqli qamar.
The last line is a double entendre, suggesting that the face gives the impression of being a moon and by its moon-like beauty has captivated the poet.

quently, verses that have gambling pure and simple as their main subject are even rarer than incidental references to it. The only examples that might qualify as gambling poetry come from the gambling poet at-Talla'farī. Even he has only a very few gambling verses, and he combines low-class gambling with the high-class activity of wine drinking.[112]

The social consequences of gambling were at times more on a poet's mind than his professed erotic theme. This is the case in anonymous verses which censure the reckless abandon of the compulsive dice player, although they are addressed to the beloved and contend that his gambling could make it easy to conquer him:

All lovers declare[113] it lawful to conquer the sanctuary of a gazelle
Who has become a most tricky gambler.

If he held in his palm the garden of Eden,
And went broke, he would sell it for two throws.

And if he held in his palm the visitors for a day
He ..., he would go after the dice among them (?).[114]

Still, gambling was so prevalent in society that it was considered opportune to suggest verses for a player who felt that he was wrongly defeated and wished to express his feelings in an elegant manner:

You have won, but you did not defeat us fairly.
If it were fair, I do not think it would have been so easy.

You won while we were not (really) defeated,[115] rather you wronged us.
He who uses to do wrong turns out to be victorious.[116]

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[112] See below, p. 149.

[113] Or, "May all lovers declare..."

[114] Cf. al-Badrī, *Ghurrah*, fol. 128a:

abāḥa l-'āshiqūna ḥimā ghazālin
takhallaqa fī l-qimāri bi-kulli mayni
law-anna bi-kaffihī jannātu 'adnin
wa-aflasa bā'ahā fī ḍarbatayni
wa-law fī kaffihī z-zuwwāru yawman
aqāma la-rāma fīhā l-ka'batayni.

The translation of the last verse is doubtful, in particular since the reading and the meaning of *az-zw'r* remain uncertain. In view of the second verse, one might think of the pilgrims ("visitors") who come to Mecca to visit the *Ka'bah*, and the gambler would try to fleece them with his dice *(ka'batayn)*. *Aqāma*, in this case, may refer to something connected with prayer (??). However, it is possible that a sexual meaning is intended. The gambler loses interest in the "visitors" and would rather have his dice in his hand *(fīhā)*.

[115] Hardly the active, "and we did not win."

[116] Cf. Ibn Sukaykir, *(Nafaḥāt kamā'im al-ward fī tafḍīl li'b ash-shiṭranj 'alā n-nard,)* Ms. Bodleian Pocock 16, fol. 34b:

ẓafirta wa-lākin lā bi-ḥaqqin ghalabtanā
wa-law kāna ḥaqqan mā arāhu tayassarā
qamarta wa-lam nuqmar wa-lākin ẓalamtanā
wa-man kāna ya'tī aẓ-ẓulma amsā muẓaffarā.

CHAPTER FIVE

THE SOCIAL CONSEQUENCES OF GAMBLING

The attitude toward taking risks most commonly expressed in Muslim literature was one of strong disapproval. In particular risking one's life (*mukhāṭarah bi-nafs-, bi-rūḥ-*) was frowned upon, unless it served for "the glorification of Islam" in the *jihād*. Then it became a duty that Muslims were commanded to fulfill.[1] "Don't ever risk your life," is an early warning in the *Arabian Nights*, and they state categorically that "a person who takes risks deserves no praise, even if he escapes unharmed."[2] Already Graeco-Arabic wisdom literature, in the name of young Aristotle, had come out against taking undue risks. "A person who exposes himself to tribulation risks his life" and "he who takes risks will be unsuccessful."[3] The futility of taking foolish risks appears to be the intended meaning of a verse of ash-Sharīf ar-Raḍī to the effect that "he who always loses his possessions through gambling should be serious enough to reject gambling."[4]

A physician should be most careful not to take any chances with the life of his patient, since there is no substitute for human life.[5] However, the high-risk career of politics retained its attraction throughout medieval Islam, even if the numerous tragedies caused in the pursuit of it were readily observable and might elicit the comment, appropriately ascribed to Abū Muslim or to the "wazīr of the family of Muḥammad," Abū Salamah, that "it is risky to sail on

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[1] Cf. Ibn ʿAbd-as-Salām, *Qawāʿid*, I, 14, 111, II, 99 f.; *Concordance*, II, 48a30; Ibn Ḥajar, *Fatḥ*, III, 112 f. The Qur'ān does not use the root *kh-ṭ-r* in connection with this subject.

[2] Cf. *Arabian Nights*, ed. Macnaghten, I, 7, trans. Littmann, I, 27, also ed. Macnaghten, I, 103, trans. Littmann, I, 162 (14th night). Cf., further, ed. Macnaghten, III, 175, IV, 87, trans. Littmann, IV, 343, V, 424.

[3] Cf. al-Mubashshir, *Mukhtār al-ḥikam*, 200, ll. 11 f.

[4] Cf. ash-Sharīf ar-Raḍī, *Dīwān*, 182:

wa-man qumira d-dahra amwālahū
qaḍā jidduhū an yarudda l-qimāra.

I am not sure whether I have understood the verse correctly. Its translation depends largely on the vocalization.

[5] Cf. Ibn Abī Uṣaybiʿah, *ʿUyūn al-anbāʾ*, ed. A. Müller, I, 209, ll. 2 f. (Cairo and Königsberg 1882-1884), quoting al-Kindī.

the high seas, but riskier still to be in contact with kings."[6] Above all, the lifeblood of the Islamic economy, trade and, especially, long-distance commerce by land and sea, was full of the gravest risks. Merchants may often have adopted the conventional wisdom that "preserving some is better than losing all,"[7] and moralists felt always free to excoriate the greed of those who suffered untold hardships and even risked their very lives for the sake of transitory material gain. However, business of all kinds was attended by risks that were unavoidable. In addition, Islam also accepted, if reluctantly, the legality of commercial transactions which were speculative by their very nature in that the size of the expected profit depended upon the uncertainties necessarily accompanying them, such as sales for future delivery (*salam*) and investments in partnership arrangements.[8] The old and famous ruse for circumventing the prohibition against usury was, in fact, simply designated as "risk" (*mukhāṭarah*).[9] A transaction involving the barter of live animals for meat was called "pre-Islamic *maysir*" and equated with similar transactions where the value of the object bought or sold was uncertain (*muzābanah* or, again, "risk," *gharar*).[10] The *ḥadīth* used *mukhāṭarah* in this sense to suggest possible pitfalls in renting land for monetary payment.[11] Necessity, and the highly favorable attitude toward commerce expressed in the Qur'ān, helped the jurists to take the stigma of gambling out of such transactions. This required considerable effort and ingenuity.

Under the category of *bāṭil* which made business ventures so described hopelessly illegal on the basis of Qur'ān 4:29/33, the authorities cited by aṭ-Ṭabarī lumped gambling together with usury and such general matters as faulty pricing (*bakhs*) and wrongdoing (*ẓulm*, probably equivalent to *ghaṣb* "acquisition by force") as well as deals seemingly as specific as buying something on approval and returning it, if displeased, with a monetary consideration (equivalent to the later *mukhāṭarah*?).[12] Or *bāṭil* was similarly charac-

[6] Cf. Ibn Shams-al-khilāfah, *Kitāb al-Ādāb*, 28 (Cairo 1349/1931); al-Ghuzūlī, *Maṭāliʿ*, II, 112.

[7] Cf. Ibn ʿAbd-as-Salām, *Qawāʿid*, I, 86.

[8] Cf. A. Udovitch, *Partnership and Profit in Medieval Islam* (Princeton 1970).

[9] Cf. J. Schacht, in *EI*², *s.v.* ḥiyal.

[10] Cf. al-Qurṭubī, *Jāmiʿ*, II, 54; Mālik, *Muwaṭṭaʾ*, see *Concordance*, VII, 369b38-39.

[11] Cf. *Concordance*, II, 48a31; Ibn Ḥajar, *Fatḥ*, V, 423.

[12] Cf. aṭ-Ṭabarī, *Tafsīr* (new edition), VIII, 216 f.

terized as gambling, usury, the wrongful appropriation of the property of others (*ghaṣb*), cheating (*khidāʿ*), the denial of just claims (*jaḥd al-ḥuqūq*), and profits resulting from illegal activities.[13] As examples of improper business transactions involving a risk and therefore to be classified as gambling, Ibn Taymīyah mentioned the purchase of a runaway slave, a strayed animal, a foetus, and the like.[14] Yet, while certain unlawful business activities could be classified as gambling, commerce as such, no matter how risky and speculative, was not thought of as something comparable to gambling, certainly not by those engaged in it. To be sure, pious theoreticians will not always have escaped from this unpleasant thought. Not many, however, may have been so determined and pessimistic as was al-Qushayrī in his mystic explanation of Qur'ān 5:3/4. He took "divining by means of arrows" to refer to gambling and to include all transactions and associations meant to yield material gain. In his time, he said, activities to which this description did not apply were indeed rare.[15] For al-Qushayrī, every expenditure not made for the sake of God was *bāṭil*.[16] Thus, we might say that in his view, all the world was a gamble, and all worldly business illegal and forbidden, except the preparation for and the concern with the world to come. In some way or other, mystic thinking often moved along the same and similar lines, although it may rarely have made the connection with gambling as an inevitable aspect of all commerce.

By way of argument, gaming was compared to commerce and sleep, in that commerce and sleep, too, might divert a person from performing his prayers, and still, they were not forbidden, as games were for that reason. The argument was immediately rejected as based upon incomplete analogy. Commerce and sleep were no amusements. In particular, they did not cause hostility and hatred, the crucial reason for the prohibition of games.[17] Thus, viewed in this manner, too, commerce could not be called gambling.

Even the most moderate attitude toward legal and illegal ways of making a living, of which the religious authorities could in good

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[13] Cf. al-Qurṭubī, *Jāmiʿ*, II, 338.

[14] Cf. Ibn Taymīyah, *Fatāwī*, I, 490, II, 10. See also above, Ch. III, n. 49.

[15] Cf. al-Qushayrī, *Laṭāʾif al-ishārāt*, ed. I. Basyūnī, II, 95 (Cairo 1388—/1968—).

[16] Cf. *Laṭāʾif al-ishārāt*, II, 22, to Qur'ān 4:29/33.

[17] Cf. al-Ḥalīmī, *Minhāj*, Mss. Istanbul Topkapısarayı Ahmet III 930, fol. 149b, and Ahmet III 500, Vol. III, fol. 38a.

conscience have been capable, left little room for the professional gambler. In fact, we have not much evidence to show that there were people whose sole trade and means of subsistence were honest or dishonest gambling activities. If the *ḥisbah* works were not concerned with them, the reason probably is that they paid attention mainly to irregularities and fraud in the legal trades and professions and gave only passing consideration to the illegal ones.[18] It is true that we find gambling occasionally enumerated among low-class occupations, but this is not to be understood in a strictly professional sense. The intriguing name of Ibn al-Muqāmir born by a thirteenth-century poet, ʿAbdallāh b. Muḥammad b. Thābit, is certainly no clear indication that there had been a professional gambler in his family.[19]

Some of the champion chess players may have been able to live on the prize money they earned. For explaining only one chess problem, they were at times paid substantial sums.[20] The one or other "sponger" (*ṭufaylī*) may have had his most lucrative moments when he tried his luck in gambling. As is only natural, there were experts in the various gambling sports who can be assumed to have devoted themselves to them full-time.[21] They probably also had a hand in any gambling that went on around them, but gambling as such was not what constituted their livelihood. It may be noted here that "player" (*laʿʿāb*) by itself meant "juggler,"[22] an occupation held in low esteem socially and listed on occasion together with those of *mukhannath* and singer.[23] While the silence of the *ḥisbah* works may not be strong evidence for the non-existence of the professional gambler, the absence of crooked gamblers from among the many types of rogues and swindlers mentioned by al-Jawbarī suggests that gamblers did indeed not have their separate niche as professionals in the underworld. When littérateurs such as the fourteenth-century Ibn al-Wardī, in his *al-Kalām ʿalā miʾat ghulām* and *al-Kawākib as-sāriyah ʿalā miʾat jāriyah*, and the fifteenth-

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[18] See above, pp. 110 f. Al-Māwardī, *al-Aḥkām as-sulṭānīyah*, 245, mentions "soothsaying and amusement" *(kahānah, lahw)* as forbidden ways of making a living. In the author's mind, this might possibly have included gambling.

[19] Cf. G. Vajda, *Dictionnaire des Autorités*, 38. See below, pp. 152 f.

[20] Cf. the example quoted by Wieber, *Schachspiel*, 83.

[21] See above, p. 54.

[22] Cf. al-Bīrūnī, *India*, 77, trans. Sachau, I, 101.

[23] Cf. Miskawayh and at-Tawḥīdī, *Hawāmil*, 193.

century al-Badrī, in his *Ghurrah*, quoted verses on people exercising many different crafts and activities, even if there were occasional verses on individuals that gambled, these gamblers were in no way thought of as professionals.

On the other, losing end of the gambling spectrum, there were those compulsive gamblers who gambled away everything they owned and caused misery to their families. What is supposed to have happened, and probably did happen, in pre-Islamic Arabia,[24] was no doubt repeated uncounted times in the Islamic period. We hear about it in general terms, as when al-Ghazzālī, following al-Kindī, speaks about "the broke gambler who gets much joy and pleasure out of his gambling, ... although gambling may deprive him of his property, destroy his house, and leave him bankrupt,"[25] or when Ṣūfīs praise the gambler who is cleaned out and left penniless.[26] A rich man could easily get poor when he played *nard* with someone skilled in the game and favored by luck:

> When his palm gets hold of the dice,
> The rich man is (no better than) a pauper in his company.
>
> The sixes are at his service and the fives.
> The ones never show up with him.[27]

While this is poetic exaggeration, it shows what did in fact happen at times. A concrete case we hear about in the form of an anecdote was that of the ʿAlid gambler whose wife and children were destitute, because he gambled away everything he was able to earn.[28] Naturally, the gambling compulsion which reduced an individual to penury could have been merely a passing phase in his life, as is believed to have been (but probably was not) the case of the poet at-Tallaʿfarī.

The heavy gambler faced the additional danger of not only losing what he had but also incurring debts in order to go on with his gambling. Gambling establishments were accommodating

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[24] See above, p. 68.

[25] Cf. al-Ghazzālī, *Iḥyā'*, III, 51, and al-Kindī, *Fī l-ḥīlah li-dafʿ al-aḥzān*, ed. trans. H. Ritter and R. Walzer, *Uno scritto morale inedito di al-Kindī*, 33. para. 3 (Rome 1938, *Memorie, Accad. Naz. dei Lincei*, VI, viii, 1). Al-Kindī speaks of loss of property and waste of time.

[26] See below, p. 170.

[27] Cf. al-ʿImād al-Iṣfahānī, *Kharīdah* (Western poets), I, 294, ed. ad-Dasūqī and ʿAbd-al-ʿAẓīm, I, 374. The poet is Abū l-Ḥakam ʿUbaydallāh b. al-Muẓaffar al-Marīnī al-Maghribī (486-549/1093-1154), cf. Brockelmann, *GAL*, 2nd ed., I, 321, *Suppl.*, I, 481.

[28] See above, Ch. III, n. 165. Cf. also Ch. IV, n. 58.

enough to help a gambler out with a loan, when he was least able to resist the temptation.[29] The confused lover in the *Arabian Nights* gambled at chess with the woman he loved. It was a marathon session extending over several days. He was encouraged by her to gamble for higher and higher stakes, until he had lost everything he owned. Then he pretended confidently that he was going to borrow more, although he had nobody from whom he could borrow something.[30] The fourteenth-century Ibrāhīm b. ʿAlī al-Miʿmār, who sang of chess and *nard* and, above all, *ḥashīsh*, tells about

> A gambler, going to a friend
> Who was closer to him than any other human being,
>
> Asked him for the money to pay off an unfair
> Gambling loss, and he just gave him the dice.[31]

Unless the second verse is to be understood to mean that his friend was his gambling partner who now attempted to welsh on his gambling debt, we have here a case of borrowing money to pay off losses, and the person approached for a loan, wary of loaning money to a gambler, even if he was his best friend, just gave him a couple of worthless dice, so that he could try his luck again. A person whose credit is good might postpone paying his gambling debts by means of a promissory note, as we learn from a fictitious and lewd anecdote.[32] If pre-Islamic gamblers, as we have heard, were able to go into debt for gambling losses, in Islamic times, borrowing money may have been particularly difficult for a known gambler in view of the prevailing conditions governing financial activities. We have no evidence for relatives silently taking care of the gambling debts incurred by a black sheep in the family. It probably happened quite often.

Wherever the compulsive gambler's activities sought their outlet in public places, there must have been people who profited from it. They could be classified as gambling professionals, although they themselves may have never done any gambling of their own. The dicing den was a familiar establishment, at least in towns of some

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[29] See below, p. 144.

[30] See above, Ch. IV, n. 52.

[31] Cf. al-Miʿmār, *Dīwān*, Ms. Istanbul Fatih 3793, fol. 47a-b:
muqāmirun jāʾa ilā ṣāḥibin
kāna bihī dūna l-warā dhā khuṣūṣ
gharramahū l-māla ʿalā qamrihī
ẓulman wa-mā (fa-mā?) aʿṭāhu illā l-fuṣūṣ.

[32] See above, Ch. III, n. 25.

size. It need not always have been designated by its proper name, such as *dār al-qimār* or, in Persian, *qimārkhāne*. Taverns (*ḫānah*, Persian also *qalandarkhāne*)[33] often had games going on in them. A description of the gambling casino as good as we can hope to find is preserved in the *Kitāb al-Mughrib* of Ibn Saʿīd (d. 675/1276). It transports us back into the prosperous Egypt of the first half of the tenth century, but it would appear to have rather timeless validity for medieval Islam:

> "At one time, the Ikhshīd (Muḥammad b. Ṭughsh) ordered the destruction of cabarets *(mawākhīr)* and dicing dens *(dūr al-muqāmirīn)* and the arrest of the gamblers. They were seized, and many of the gamblers were brought before him for inspection. Among them was a dignified shaykh. When he asked whether that shaykh was really a gambler, he was told that he was called the *muṭammiʿ* ("making greedy") of the establishment. It was explained to him that he was the reason why that dicing den was so very flourishing. He was the man who encouraged someone who had lost all he carried on him to play for his coat; maybe, he told him, he would win. When the coat was gone, he told him to play for his shirt, so that he would win back everything, and so on down to his shoes. The gambler might even go into debt with him. For his work, the man received a daily salary from the concessionaire *(mutaqabbil)* of the dicing den. The Ikhshīd found this amusing. He told the man to foreswear those activities. He did, and the Ikhshīd ordered a garment, coat, and a thousand dirhams to be given to him, as well as a monthly salary of ten dīnārs. The man left gratefully. But then the Ikhshīd had him brought back. All he had given him was taken away from him. He was spread out on his belly and given a hundred lashes with a stick. This done, the Ikhshīd said: 'Let him go now! How was this for 'making greedy' as compared to the way you used to do it!'"[34]

A place for gambling that for all we know was much more civilized than the public establishments was the recreation or play rooms to be found in palaces and large mansions. A well-known example is that of the "club" from Umayyad times which was frequented by the poet al-Aḥwaṣ. It was equipped with coathangers, books, and boards for playing chess, *nard*, and merels (*shiṭranjāt*, *nardāt*, *qirqāt*). Members dropped in, hung up their coats, and either read or played, whatever they felt like doing.[35] We can be certain

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[33] Cf. H. Ritter, *Das Meer der Seele*, 381, where the scenario of the story is based upon the fiction that such dens of iniquity were not known in Arabia. See also above, pp. 23 f. *(qaṣf)*.

[34] Cf. Ibn Saʿīd, *Mughrib*, ed. trans. K. L. Tallqvist, text 30, trans. 63 (Leiden 1899), trans. A. Mez, *Renaissance*, 324.

[35] Cf. *Aghānī*, IV, 52 (*Aghānī*[3], IV, 253 f.). The passage is often cited in the scholarly literature, cf. Murray, *A History of Chess*, 194; Wieber, *Schach-*

that a good deal of gambling accompanied the games. As it seemingly took place in the privacy of a home, the club was a rather safe place for gambling activities.

At the court of al-Ma'mūn, the servants had rooms in the palace where they devoted themselves to heavy gambling, whenever they had time off from their duties or at least thought that they were not needed. They not only played chess and dice but also organized cockfights.[36] The noble young pages at the court of al-Mu'taḍid also had their recreation rooms to which they repaired when they were off duty. They took off their boots and hats and relaxed playing chess and *nard*. When al-Mu'taḍid learned about it from his "spies," he expressed disapproval. The chamberlain in charge had all the boys who were on duty on that day be given several lashes. Thereafter, nobody dared to devote himself to such dissipation, and everybody concentrated on his duties.[37] It is left to our imagination to estimate how much gambling was involved in the games the boys played, but their age was certainly no obstacle to playing for stakes.

Gambling went on in the upper classes of society and in those at the bottom, and among all the layers of society in between. An excessive devotion to games such as *nard* was considered detrimental to rulers to an even greater degree than to ordinary men, as the *fürstenspiegel* literature likes to point out.[38] However, many of them did play, and no doubt for stakes. We even have reports such as the one concerning al-Malik al-Amjad Bahrāmshāh of Ba'labakk who was so deeply immersed in a game of *nard* that he failed to notice the approach of the escaped mamlūk who had come to kill him.[39] The military responsibilities of the ruling establishment, with its powerful military sector that in time gained quasi-independence, made sports a necessary and highly esteemed activity. Regardless of the gambling accompanying them, they were viewed as potentially

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spiel, 231. "Club" is the word used in I. Guidi and others, *Tables alphabétiques du Kitāb al-Aġānī*, 448b (Leiden 1900).

[36] See below, n. 60.

[37] Cf. Hilāl b. al-Muḥassin aṣ-Ṣābi', *Rusūm dār al-khilāfah*, ed. M. 'Awwād, 71 f. (Baghdād 1964).

[38] Cf. also the saying from ath-Tha'ālibī, above, Ch. II, n. 84. See below, p. 150. For incompetent and self-seeking physicians, the ability to play chess and *nard* served as an introduction to persons of high rank, who should know better than letting themselves be deceived by such vulgar trickery, cf. the ninth-century ar-Ruhāwī, *Adab aṭ-ṭabīb*, ch. 19 (I owe my knowledge of the passage to the kindness of C. Bürgel).

[39] Cf. al-Kutubī, *Fawāt*, I, 150.

objectionable only by representatives of the religious-legal civilian sector. The large and important class of religious scholars in general does not, as far as I know, furnish any examples for gambling taking place in their ranks. It deserves notice that there does not seem to exist a single instance of a member of the class of religious scholars being seriously accused of gambling, although they were occasionally accused of crimes such as sexual deviation, alcoholism, drug addiction, and suicide. In Jewish circles from the medieval Muslim environment, a man probably "of some scholarly standing" might be found who ran into trouble because of his propensity for gambling, one of the "extremely rare references to gambling" from the Geniza documents.[40] However, the man was certainly no ranking functionary within the Jewish religio-legal establishment.

The large merchant class is also nowhere singled out for gambling activities. It is true that we are quite uninformed about the private lives of people in business and commerce. Gambling was certainly a vice that could not be tolerated among members of the medieval business community, especially the more successful and influential ones. Yet, it might have been rather prevalent among them. It would seem characteristic that the *Arabian Nights* assume a merchant background for the reckless gambling lover.[41]

Romances of love unfolding in a true milieu of knights and chivalry, such as Gurgānī's *Vis and Ramin*, or the romances in the *Arabian Nights* trying to reflect such a milieu, ignored gambling, as it implied substandard behavior of a kind intolerable in the refined atmosphere imagined for them. However, among poets and littérateurs, fashion and tradition required more open attitudes toward activities disapproved by law and society. If these attitudes then found expression in their lifestyles, this was often winked at as a natural consequence. Among the legendary pre-Islamic gamblers mentioned earlier, there were poets of high repute such as Bal'ā' b. Qays and Abdallāh b. 'Anamah. The famous singer of the time of Hārūn ar-Rashīd, Ismā'īl b. Jāmi', is credited with the remark that "if it were not that gambling and dog fancying take much of my time, I would have left no bread for the other singers to eat,"[42]

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[40] Cf. S. D. Goitein, *A Mediterranean Society*, II, 47, 531, n. 29, 532, n. 45 (Berkeley and Los Angeles 1971).

[41] See above, Ch. IV, n. 52.

[42] Cf. *Aghānī*, VI, 70 (*Aghānī*[3], VI, 294); Mez, *Renaissance*, 384; H. G. Farmer, *A History of Arabian Music*, 115 f. (London 1929).

because by his exclusive devotion to his art, he would have smothered the competition. Centuries later, the poet and caliphal chamberlain, Muḥammad b. Sulaymān b. Qutulmish (543-620/1148-1223), wasted his large inheritance through dicing (*qimār*) and *nard* and was reduced to *wirāqah*, presumably, to working as a copyist for booksellers. The only time he did not gamble was when he found nobody to play with.[43] In the year in which Ibn Qutulmish was fifty years old, the poet at-Talla'farī (593-675/1197-1277)[44] was born. His early compulsive gambling is reported in more than usual detail, leaving, however, very many gaps in our knowledge. At-Talla'farī gambled away all the gifts he received from his master, the Ayyūbid ruler of Damascus al-Malik al-Ashraf b. al-Malik al-'Ādil. Al-Malik al-Ashraf expelled (*ṭ-r-d*) him, and he went to Aleppo where the Ayyūbid al-Malik al-'Azīz put him on a salary. But he was unable to stop his gambling, so that it became necessary to make a public announcement in Aleppo that anybody caught gambling with him would have his hand cut off. This made life so uncomfortable for him in Aleppo that he went back to Damascus. There he started again gambling away all the gifts he was able to solicit. Eventually, he became so poor that he had to stay in the furnace of a public bath (*atūn ḥammām*); possibly, what is meant here is not that he had to work as a stoker, but that he had to sleep in the boiler room of the bath, because he could not afford to pay for lodgings in a decent place.[45] His story, however, had a happy ending, inasmuch as he finally found the respectable position in Ḥamāh to which he

[43] See above, Ch. II, n. 144.

[44] The year of his death is 1277, if he died in Shawwāl, as indicated by adh-Dhahabī, *Ta'rīkh al-Islām*, Ms. Istanbul Aya Sofya 3014, fol. 31a, and *'Ibar*, V, 306, used in Ibn al-'Imād, *Shadharāt*, V, 349; Ibn Taghrībirdī, *Nujūm*, VII, 255-257. The Christian year would be 1276, if he died in Jumādā II, as in al-Yūnīnī, *Dhayl*, III, 218-228; however, the dates in al-Yūnīnī seem confused. No month is given by aṣ-Ṣafadī, *Wāfī*, V, 255-263, and al-Kutubī, *Fawāt*, II, 546-555. Cf., further, Brockelmann, *GAL*, 2nd ed., I, 300, *Suppl.*, I, 458; Z. al-Maḥāsinī, *ash-Shābb aẓ-ẓarīf*, 41-47 (Beirut 1972). Badly needed new editions of at-Talla'farī's *Dīwān* have been announced by 'Abd-al-Wahhāb M. 'A. al-'Adwānī with M. Q. Muṣṭafā and by H. Z. Sābā, according to the monthly newsletter *(Akhbār at-Turāth al-'Arabī)* of the *Ma'had al-makhṭūṭāt* of the Arab League in Cairo, August 1972 and November 1973. [On at-Talla'farī and Sulaymān b. Bulaymān, cf. now also Ibn aṣ-Ṣuqā'ī, *Tālī Kitāb Wafayāt al-a'yān*, ed. J. Sublet, nos. 121 and 226 (Damascus 1974).]

[45] The addition of *ḥammām* is found in al-Kutubī. For *atūn* as a place of ill repute, cf. also the verses cited in al-'Imād al-Iṣfahānī, *Kharīdah* (Syrian poets), II, 300.

was entitled by his talent and family background.

Presumably, he also gave up gambling in public, but we cannot be sure. Verses by Shihāb-ad-dīn al-ʿAzāzī accuse him of meanness and a bad character as well as pimping and gambling.[46] Since al-ʿAzāzī appears to have been born forty years after at-Tallaʿfarī, this accusation of gambling would have come in the latter's old age, and it does not seem to hark back to a situation which by then was ancient history. Furthermore, if the anecdote related about at-Tallaʿfarī and the poet and goldsmith Sulaymān b. Bulaymān, who died, about seventy years old, in 686/1287,[47] did in fact involve al-Malik an-Nāṣir Yūsuf b. Muḥammad, who was born in 627/1230, at-Tallaʿfarī would have been in his fifties when the event described took place. In a number of verses, Ibn Bulaymān expressed astonishment at hearing about a shaykh, meaning at-Tallaʿfarī, who would gamble for (his) boots (*khifāf*). At-Tallaʿfarī responded that he was not a soldier, so that he would own boots, nor could he gamble for the boots of his wife, since he did not have a wife.[48] Regardless of how accurately these wrangles among poets described at-Tallaʿfarī's doings, his devotion to gambling is confirmed by his own poetry.

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[46] Cf. aṣ-Ṣafadī, *Wāfī*, V, 260. Al-ʿAzāzī's *Dīwān* attests to his close contact with at-Tallaʿfarī, cf. Ms. Istanbul Fatih 3838, fols. 115a, 118b (*anno* 662), 128a, 132b, 148a, 159b. Al-ʿAzāzī also refers to Ibn Bulaymān, cf. his *Dīwān*, fol. 135a-b. The Fatih manuscript breaks off in the fourth chapter and does not contain the fifth chapter dealing with *muwashshaḥāt*. The fly-leaf has an owner's note of ʿAbd-al-Qādir b. Abī Bakr ad-Damāṣī, dated in 889/1484. The last folio, which does not form a quire with the preceding leaves, provides the information that it constitutes the end of the second and last part of an unnamed work written by its author *(nāẓim)* ad-Damāṣī himself. This last folio has, of course, no connection with al-ʿAzāzī's *Dīwān*, but it also seems unrelated to the preceding leaves containing poetry from the early sixth century. The handwriting of ad-Damāṣī in Ms. Fatih 3838 should be checked with the autograph manuscript of selections from his poetry in Ms. Escorial 473, dated in 886/1482.

[47] Cf. al-Yūnīnī, *Dhayl*, IV, 323 f.; al-Kutubī, *Fawāt*, I, 350 f.; Ibn Taghrībirdī, *Nujūm*, VII, 372 f.; Ibn al-ʿImād, *Shadharāt*, V, 395 (the edition of adh-Dhahabī, *ʿIbar*, the likely source of Ibn al-ʿImād, has no year 686). According to al-Yūnīnī, Ibn Bulaymān was also listed in al-Mustawfī's *History of Irbil*. The reading Bulaymān seems to depend on adh-Dhahabī, *Taʾrīkh al-Islām*; except for the missing dots under the *yāʾ*, it is clearly indicated in Ms. Istanbul Aya Sofya 3014, fol. 150a-b (where it is also stated that Ibn Bulaymān lived to be over ninety years old). The doubts of the editor of al-Yūnīnī, who refers to forms with *n* instead of *l* (*Dhayl*, III, 224, even has Yalammān), seem unjustified.

[48] Al-Kutubī and Ibn Taghrībirdī conclude the story with the statement that at-Tallaʿfarī said that he would have to gamble with either silver or gold *(min bayn al-ḥajarayn)* for either the boots or the shoes *(niʿāl)*.

He complained about his own bad luck and the luckiness of his gambling partners:

> Those who gamble with me feel happy,
> While the earth closes up tight around me.
>
> How greatly have its sixes confused my mind, and how
> Much anxiety have its fives forced down my throat.[49]

But no matter how miserable gambling made him, he was unable to give up wine drinking and gambling:

> I have denounced everything but wine.
> I have foresworn everything but gambling.
>
> Cup and dice are never
> Out of my right hand and my left.[50]

This is about all the information we have at present concerning at-Talla'farī's gambling obsession. If it has been found worthy to be reported here *in toto*, it is because, among the thousands of medieval Arabic poets, we can find nobody else whom the sources at our disposal have described so explicitly as a gambler.

The view on gambling that is most generally conveyed to us in the literature regards it as a contemptible low-class pastime to which only the economic and spiritual dregs of society would devote themselves. Chess apologists therefore always contended that their game, in contrast to gambling, was played by persons of high standing in society. An intellectual of the caliber of an-Naẓẓām could, perhaps, look down even on chess as an amusement for uneducated parvenus. "Two rich men incapable of *adab*" was his characterization of chess players.[51] But in general, chess was extolled as a game for kings and wealthy men, not one for the poor and stupid,[52] and

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[49] Cf. al-Yūnīnī, *Dhayl*, III, 224, and Ibn Taghrībirdī, *Nujūm*, VII, 257. The verses do not appear in the old edition of at-Talla'farī's *Dīwān* (Beirut 1326).

For "sixes and fives," see Steingass, 745a: "*shash u panj* Confusion, perplexity; dice; *shash-u-panj-zanān* Dice-players; perfect, pure; one who loses his all at play." It may be noted that *panj u shash* means the five senses and the six directions (Steingass, 257a). Thus, Jalāl-ad-dīn Rūmī, *Mystical Poems*, trans. A. J. Arberry, no. 129, verse 10 (Chicago 1968), speaks of "some folk dissolute and drunk and gay, some folk slaves to the five and the six." Since the two groups are contrasted with each other, gambling could not be meant here. For an Arabic-Persian play on words using the Persian numbering of the dice, cf. also Sayf-ad-dīn al-Mushidd, *Dīwān*, fols. 132b-133a.

[50] Cf. at-Talla'farī, *Dīwān*, 18; al-Kutubī, *Fawāt*, II, 547. See, especially, below, Ch. VII, n. 15.

[51] Cf. al-Ghuzūlī, *Maṭāli'*, I, 77, quoting al-Jāḥiẓ.

[52] Cf. Wieber, *Schachspiel*, 253 f.

it was always stressed that it was reportedly played by noble persons and distinguished Muslims of the second generation.[53] *Nard*, on the other hand, was allegedly played, in the time of the great ninth-century Egyptian scholar Muḥammad b. ʿAbd-al-Ḥakam, only by "foolish people lacking true manliness" (*ahl as-safah wa-tārikū al-murūwah*).[54] And it was quite natural to exclaim how unbecoming it was for an intelligent being to be in bondage to a couple of dice and do their bidding.[55]

The philosophical view of all play was that man, endowed as he was with reason, had no right to indulge in such a waste of time. "Doing nothing (*ʿuṭlah*) is bad, and reason shuns it. Therefore, people who have free time (*al-furrāgh*) occupy themselves with playing chess and *nard*, notwithstanding the stupidity of those games and the useless waste of one's life and time that goes with them. Voluntarily sitting around unoccupied and motionless is detested by all people,"[56] for life, by definition, is motion, and where there is no motion, there is no life. Thus, gaming might seem to fulfill in a way a useful role in killing time. However, the philosopher no doubt was of the opinion that, even if no practical work is waiting to be done, time can always be employed usefully with thinking. In the language of the men of religion, gaming annuls a man's *murūwah*.[57] For young men living by the code of chivalry, it indicated imperfect *futūwah*, if one of them was given to "playing frivolously with pigeons and, for gambling purposes, with falcons (?), or with *nardashīr*."[58] Whether a mighty ruler played gambling games himself or followed the *fürstenspiegel* advice that such indulgence was unbecoming for him, he would likely express the view that they did not befit his exalted station. We have a story to this effect told of al-Maʾmūn. He once called his servants, but nobody responded. A courtier went after them and found them playing dice and chess and watching cocks fighting. In a furor, he told them that the caliph wanted them.

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[53] Cf. Ibn Sukaykir, in the beginning.

[54] Cf. as-Sakhāwī, *Shiṭranj*, fol. 42a.

[55] Cf. Pareja Casañas, *Libro del Ajedrez*, I, text 15, trans. 16.

[56] Cf. Miskawayh and at-Tawḥīdī, *Hawāmil*, 276.

[57] See above, Ch. II, n. 3. For *sāqiṭ al-murūwah*, cf. also al-ʿĀmilī, *Mikhlāh*, 62.

[58] Cf. Ibn al-Miʿmār, *Kitāb al-Futūwah*, ed. Muṣṭafā Jawād and others, 177 (Baghdād 1958-1960). The reference to "falcon" *(shāhīn)* in the context seems a little strange, since birds of prey used in hunting sports are not mentioned normally in connection with gambling. It is hardly possible to read *shāhayn* "two kings," as a most unusual term for chess.

Still they stalled and asked to be allowed to throw[59] the dice once more and to make another move. The caliph heard the courtier curse. He, however, laughed and told him to be lenient with the men, as they were human beings with human frailties like him. But when he was asked whether he would take the same attitude toward everybody, he replied that if his sons behaved in that manner, he would kill them. Such behavior belonged to the qualities of common people, whereas "our qualities are those of kings."[60] Gaming and the resulting inattention to duty were improper as well as dangerous to the ruling elite, no matter how natural they were for ordinary men.

A high ninth-century official, Aḥmad b. al-Mudabbir, had boon-companions who, as was expected of them in their profession, were accomplished, among other things, in chess and *nard* and various kinds of play. A sponger (*ṭufaylī*) was able to best them in all those things, much to the amusement of Ibn al-Mudabbir who himself would disdain to participate in such a display of vulgarity.[61] However, his brother Ibrāhīm regularly played *nard* for money with Ibn Ḥamdūn and once lost the considerable sum of twenty dīnārs.[62] Doing things that are enjoyable, while at the same time expressing a low opinion of them, is not uncommon among human beings, especially with regard to amusements of all sorts.

The general attitude toward gambling as a low-class activity also seems to be reflected in the story of ʿĀ'ishah who did not want *nard* players to stay in a house belonging to her.[63] It could have been the illegal status of gambling that made her decide to threaten those people with eviction. However, the report, which is not likely to be historical, seems aimed at the social inferiority associated with it. Its message is that persons of high standing in society should consider gambling something that they would not care to have anything to do with.

Gambling figures in some lists of despicable activities and occupations. Astonishment was expressed that human beings could actually derive pleasure from something that brought only

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[59] The root *q-y-s* appears not to be attested elsewhere in this meaning. Possibly, it is a more technical term such as "to match" the partner's throw.

[60] Cf. Ibn Abī Ṭāhir Ṭayfūr (above, Ch. II, n. 235).

[61] Cf. al-Masʿūdī, *Murūj*, VIII, 15 f.; ash-Sharīshī, *Sharḥ al-Maqāmāt*, I, 211; Wieber, *Schachspiel*, 235.

[62] See above, Ch. IV, n. 58.

[63] See above, Ch. III, n. 95.

disaster to themselves and their families, a remarkable phenomenon to be observed not only in connection with gambling but also other vulgar and harmful activities.[64] The hero of a burlesque of low life in a large city around the turn of the first millennium associated with gamblers, *nabīdh* sellers, effeminate persons, monkey men, and he mentioned his gambling activities in connection with his homosexual inclinations.[65] *Nard* playing, together with many other gambling activities, is listed in a fictitious *ḥadīth* of the Prophet as the work of the people of Lot.[66] If a boy's mother was a whore, he quite naturally started out as a gambler at a tender age. At-Tīfāshī (d. 651/1253) learned that, when he was writing his *Nuzhat al-albāb* in Damascus. As the tells the story, he saw a little boy sitting near the water naked and weeping, while other, older boys were swimming; his clothes had been stolen, he said, and his mother would kill him, if he came home naked. Passers-by were touched by his plight and gave him money, so that he would be able to buy himself clothes. At-Tīfāshī was about to take out his handkerchief from his sleeve (*al-mandīl min kummī*) and give him something, when a young man warned him not to do it, since there was nothing to the boy's story. It was the custom of that "gambling bastard, the son of a whore and procuress" (*'ilq muqāmir ibn qaḥbah qawwādah*), to play that trick on strangers all the time. He would use the money he collected for gambling with the other boys.[67]

Among the numerous faults of servants (eunuchs) enumerated in a list going back to al-Jāḥiẓ appears their infatuation with gambling.[68] A work on how to manage one's affairs (*siyāsah*), falsely ascribed to al-Fārābī, includes gambling among occupations held in low regard, such as dyeing, sweeping, and sordid trades.[69] It also appears together with buffoonery and musical entertainment as an

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[64] Cf. al-Kindī and al-Ghazzālī (above, n. 25); Miskawayh, *Tahdhīb al-akhlāq*, ed. C. K. Zurayq, 217 (Beirut 1967).

[65] Cf. al-Azdī, *Ḥikāyat Abī l-Qāsim*, 3 f.

[66] Cf. Abū l-Layth as-Samarqandī (above, Ch. II, n. 187).

[67] Cf. at-Tīfāshī, *Nuzhat al-albāb*, Ms. Istanbul Topkapısarayı Hazine 1317 (Cat. Karatay 8293), fols. 45b-46a. I am grateful to J. Sadan, of the Hebrew University, for having called my attention to this passage and having suggested other valuable references.

[68] Cf. al-Ghuzūlī, *Maṭāli'*, I, 33, l. 3.

[69] Cf. the edition of the treatise by L. Cheikho, in *al-Machriq*, IV (1901), 695. In the edition of L. Malouf, C. Eddé, and L. Cheikho, *Traités inédits*, 2nd ed., 30 (Beirut 1911), the passage is bracketed as being found in only one manuscript. According to M. Plessner, in *I. Goldziher Memorial Volume*,

occupation of fools.[70] Scavengers (*mashāʿilīyah*) were allegedly once told by an angry judge that their twelve profitable activities included *walaʿ*, which was explained as gambling.[71] Prisoners in an Egyptian jail who played chess and *nard* and tried to forget their plight by amusing themselves with these and similar pastimes probably also gambled for whatever possessions they could lay their hands on. In any case, when Ibn Taymīyah was jailed in 707/1308 and observed their evil habits which caused them to miss prayer, he started at once to reform them and got them to pray regularly; the prison thus became a better place for knowledge and religion than many a pious and scholarly institution.[71a]

One demeaning association recurs all the time, the pairing of gamblers with robbers and thieves. It goes back to Aristotle who mentions gamblers and thieves together in his *Nicomachean Ethics*.[72] *Liṣṣ muqāmir* "robber and gambler" was a term of opprobrium expressive enough to be used by both the master of literary Arabic, at-Tawḥīdī, with reference to the al-Aqṭaʿ who instructed the Ṣāḥib Ibn ʿAbbād in underworld slang,[73] and the users of a more relaxed form of speech in the *Arabian Nights*.[74] With tongue in cheek, al-Jāḥiẓ would praise robbers for their addiction to gambling.[75] In early tenth-century Baghdād, criminals would spend the time they were not out committing crimes at home eating and drinking and playing chess and *nard* together with a servant boy who played with them.[76] In the Aristotelian tradition, Ibn Sīnā speaks of useless crafts involving the transfer of property

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II, 81 (Jerusalem 1958), the treatise ascribed to al-Fārābī is largely identical with Ibn Abī r-Rabīʿ, *Sulūk al-mālik*. However, the passage in question is not contained in it (at least, not in the text available to me).

[70] Cf. Naṣīr-ad-dīn Ṭūsī, *Nasirean Ethics*, trans. G. M. Wickens, 158 (London 1964); M. Plessner, *Der Oikonomikos des Neupythagoreers 'Bryson'*, 65 (Heidelberg 1928). On p. 264, Plessner quotes the same statement from ash-Shahrazūrī, *ash-Shajarah al-ilāhīyah*.

[71] Cf. al-Ibshīhī, *Mustaṭraf*, II, 300, trans. Rat, II, 651.

[71a] Cf. Ibn ʿAbd-al-Hādī, *al-ʿUqūd ad-durrīyah*, 269

[72] Cf. Ibn Abī Dharr, *Saʿādah* (above, Ch. II, n. 137).

[73] See above, Ch. IV, n. 1.

[74] Cf. *Arabian Nights*, ed. Macnaghten, I, 308, trans. Littmann, I, 445 (37th night).

The *Sīrat Baybars* speaks of *liṣṣ mulāʿib* and of counterfeiters, gamesters, usurers, and fences, according to the German summary of the work by H. Wangelin, *Das arabische Volksbuch vom König Aẓẓāhir Baibars*, 209, 35 (Stuttgart 1936, *Bonner Orientalistische Studien* 17).

[75] Cf. al-Isfarāʾinī, *Tabṣīr* (above, Ch. II, n. 142).

[76] Cf. aṣ-Ṣafadī, *Wāfī*, VIII, 136.

which are therefore forbidden, such as those of thieves, robbers, procurers, and others. He singles out gambling as an example of taking without providing any benefit in return and thus being a worthless pursuit.[76a]

Not only did robbers and thieves gamble heavily themselves, but they also made use of the prohibition of gambling for protecting themselves against being apprehended when they burglarized a house. A special term was coined for the trick they used, *bāhata bi-n-nard*, which may be translated "to dupe with the help of *nard*." It is briefly alluded to in the *Maqāmāt* of Badīʿ-az-zamān al-Hamadhānī.[77] In vivid detail, we find the procedure reported by Ibn al-Jawzī: The thief enters the house, digs a small hole like a *nard* well (*biʾr an-nard*, apparently, a contrivance designed to hold the counters and the chips), puts into it nuts (*jawzāt*) such as people use for playing, and places next to it a handkerchief (*mandīl*) with about two hundred nuts. Then he scoops up everything in sight and gets ready to leave with his loot. If the owner of the house surprises him, he just leaves the cloth bag (*qumāsh*, with the nuts) and makes his getaway. However, if the owner happens to be a strong man and tackles him, all the while shouting loudly, "thieves!," and the neighbors gather at the scene, the thief starts a glib speech. He says: "What a nuisance you are (*mā abradaka*)! For months I have been gambling with you for nuts. You have impoverished me and taken all I possess. I shall put you to shame in front of your neighbors (by telling them about your nefarious gambling). Now that I have happened to win, you shout and call me names. Between us we have run a gambling den. Now, say that I am in the clear (*ṣafawta*), and I shall leave without making any more fuss." This causes the neighbors to think that all the owner of the house wants is not to be exposed as a gambler and he therefore pretends that the other man is a burglar. Thus, they separate the two and make it possible for the burglar to escape.[78]

The story also provides a hint of how much cheating and welshing on bets was part of the gambling scene. The attention paid by Ibn Qutaybah to supposed precautions that were habitually taken in *maysir* games shows that the thought of cheating was never absent

[76a] Cf. Ibn Sīnā, *Shifāʾ, Ilāhīyāt*, (II), 448 (Cairo 1380/1960).

[77] Cf. Badīʿ-az-zamān al-Hamadhānī, *Maqāmāt*, 167 (Beirut, n. y.), 217 (Cairo 1381/1962), trans. Prendergast, 123.

[78] Cf. Ibn al-Jawzī, *Akhbār aẓ-ẓurrāf*, 45 f. Ibn al-Jawzī has ʿUbayd-allāh b. Muḥammad al-Khaffāf as the name of the narrator of the story.

from gambling activities. Whether the potential loophole that might have permitted the loser in a race to avoid payment of his obligation[79] was ever used in practice, we do not know. But fouls were apparently committed in horse racing. We hear about the possibility of one of the jockeys slapping the face of (the other's?) horse or snatching the whip of the other. These were probably not accidental occurrences, although our source seems to list them as such.[80] Even chess was not safe from cheating, and a boon-companion was advised not to try.[81] Again speaking with tongue in cheek, al-Jāḥiẓ complained of the disappearance of those knightly young men (*fityān*) among whom it was customary, when a friend gambled with a friend, to cheat (*in qamara ḍaghā*).[82] Incidentally, it had been a different story with pre-Islamic Ḥātim aṭ-Ṭā'ī, famed for his generosity, who was also lucky, and "whenever he gambled, he won" (*idhā qāmara sabaqa*).[83] The frequent commission of perjury mentioned among the vices of gamblers may also refer to their propensity for cheating and trying to get out of their contractual obligation to pay gambling debts, but this is uncertain.[84] Ibn Taimīyah mentioned, next to lying and committing perjury, the cheating (*khiyānah*) practiced by gamblers and called by them *mughāḍāh*, a word which in this form does not seem to exist in the

[79] See above, Ch. III, n. 128.

[80] Cf. 'Abdallāh b. Maymūn, *Ifādah*, Ms. Istanbul Köprülü I, 1213, fols. 174b-175b: *laṭm aḥad ar-rākibayn wajh faras* and *ikhtiṭāf aḥadihimā sawṭ al-ākhar*.

[81] Cf. Wieber, *Schachspiel*, 255.

[82] Cf. al-Jāḥiẓ, *Bayān*, III, 220 (above, Ch. II, n. 238). *Ḍaghā* is listed as "to cheat" in *Lisān*, XIX, 221.

[83] Cf. ash-Sharīshī, *Sharḥ al-Maqāmāt*, II, 286. Hardly "putting up the prize" *(sabbaqa)*, particularly in view of the version in al-Qālī, *Amālī*, III, 153, which speaks of throwing arrows. In contrast, Ḥassān b. Thābit slandered the Banū l-Ḥimās as being inferior in every respect by depicting them as constant losers, even "were they to gamble with the Zanj for nobility of pedigree, they would be defeated," cf. his *Dīwān*, I, 357; az-Zubayr b. Bakkār, *Muwaffaqīyāt*, 248.

[84] See above, Ch. III, nn. 66, 97. Cf. Wieber, *Schachspiel*, 197, mentioning a remark that is ascribed by al-Ghuzūlī, *Maṭālī'*, I, 77, to aṣ-Ṣūlī, *Kitāb Shu'arā' Miṣr*; Ibn Taymīyah, *Fatāwī*, IV, 308 (next to lying). Among medieval Jews, the perjury committed was the breaking of a previous solemn oath to give up gambling, cf. L. Landman, in *Jewish Quarterly Review*, LVII (1966), 302 f. Such recidivism after repentance was certainly common also among Muslims, cf. H. Ritter, *Das Meer der Seele*, 182.

For "lying and bragging at *fourteen*," cf. Ibn Abī Shaybah, *Muṣannaf*, fol. 72a. *Nard* as an opportunity for bragging *(al-mu'jib al-mufākhir bi-n-nard)* is the subject of verses by Kushājim, *Dīwān*, 42 f.; al-Mas'ūdī, *Murūj*, VIII, 318 f.

dictionaries.[85] No spectacular cheating scandals are mentioned in the sources consulted. If there were any, and they involved rich and high-ranking individuals, they were no doubt always carefully hushed up.

Another fault ascribed to gamblers which branded them as low-class riffraff was their uncouth, loud, and quarrelsome behavior. That such behavior was typical of gamblers was easily deduced from the Qur'ānic passage prohibiting *maysir*. Ibn Sīrīn allegedly went so far as to state that "everything that involves gambling, shouting (*ṣiyāḥ*), or anything bad is *maysir*."[86] The literary and linguistic sensibilities of the Ṣāḥib Ibn ʿAbbād were supposedly described by his rival, Ibn al-ʿAmīd, in these unflattering terms: "His use of rhymed prose suggests wanton frivolity. His handwriting suggests that he is a chronically sick man with a withered hand. And his shouting suggests that he had lost at gambling in the tavern."[87] The use of foul language came naturally to gamblers, and apparently not only when they belonged to the uneducated strata of society. It made their gambling still more offensive.[88]

In Muslim society, gambling was by and large more of a private vice than a public nuisance or danger. Therefore, summary government action against it rarely took place. At least, it was not frequently reported in the sources. Whether historical or not, the report by al-Khuzāʿī concerning the official complaint sent to the governor of Mecca during the caliphate of al-Mahdī about gambling and other objectionable activities going on in the territory under his jurisdiction is a good example of the form government intervention could take in such cases; we are, however, not told what results the complaint produced.[89] The raiding of gambling establishments under the Ikhshīd of Egypt is, perhaps, an even better example, but again, we have no concrete information on the scale and consequences of the police action.[90] It probably blew over quickly,[91] and was repeated periodically. A governor of Egypt, Yazīd b. ʿAbdallāh at-Turkī, had the thoroughbreds belonging to the government sold

[85] Cf. Ibn Taymīyah, *Fatāwī*, II, 8. *Mughāḍāh* may require correction (*muḍāghāh*, from *ḍaghā* ?).

[86] Cf. Ibn Abī d-dunyā, *Dhamm*, 36, 58.

[87] Cf. at-Tawḥīdī, *Akhlāq al-wazīrayn*, 126.

[88] Cf. al-ʿĀmilī, *Mikhlāh*, 62.

[89] See above, Ch. II, n. 143.

[90] See above, p. 144.

[91] As happened, for instance, to the *maqāṣif* in Cairo, see above, Ch. II, n. 89.

and, for a couple of years around 860, did not permit any racing (*rihān*).[92] The gambling that accompanied horse races may, however, not have been the determining element in the governor's action. Under the Mamlūks, overindulgence in gambling sports occasionally provoked public reaction against them.[93]

Whether or not gambling activities had a noticeable influence on the general economy is something we can only speculate about. The gambling equipment needed for board games gave no doubt employment to a modest number of small manufacturers. Chess boards and men could be made of precious materials and require fine workmanship. A traditional and much cultivated poetical exercise, the request in verse for a gift of some sort or other, included the request for chess sets in its regular repertoire.[94] When we hear about chess and *nard* sets found in the estate of a deceased individual, this may not only indicate his devotion to the game but also mean that those sets possessed a certain value. However, ordinarily, most such gambling equipment should have been rather inexpensive. If it was confiscated or destroyed, the financial loss cannot have been great. On the other hand, many of the sports were extremely costly and a great luxury. The drain on the public treasury was defensible as part of the military budget. It seems to have been a considerable part of it. For private individuals, the expense, even on a comparatively small scale, might easily have led to financial ruin.

All this, however, is not directly related to gambling as such. If gambling at times wrought havoc with an individual's financial circumstances, such sporadic economic consequences of gambling probably never translated into societal terms. The sums lost and won in gambling in the aggregate are not likely to have had any economic or social significance in medieval Muslim society. Any social and economic consequences may be said to have been dwarfed by the problem that gambling posed as the expression of a fundamental spiritual and metaphysical attitude.

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[92] Cf. al-Kindī, *Wulāh*, 203; Mez, *Renaissance*, 383. See above, p. 50.
[93] See above, p. 54.
[94] Cf., for example, ath-Tha'ālibī, *Tatimmat al-Yatīmah*, I, 58.

CHAPTER SIX

THE METAPHYSICS OF GAMBLING

Since gambling is man's tinkering with chance and his pretense, bold and timid at the same time, to having a voice in shaping the as yet unformed and unknown future, it is in obvious conflict with the claim of monotheism that the world is governed by a divine plan which leaves nothing to chance and that the future is known only to God and is to be left trustingly to the direction He, and He alone, decides to give to it. Thus, Christianity would condemn gambling as irreverence. This attitude was described by Jean Barbeyrac, who did not subscribe to it, in these words: "On dit donc, que Dieu préside sur le *Sort*, & qu'il le dirige d'une façon particulière: qu'ainsi, puis que le Sort entre dans tous les Jeux de Hazard, c'est une profanation manifeste que d'obliger la Providence Divine à intervenir dans une chose si peu sérieuse, & sujette d'ordinaire à tant d'inconvéniens."[1] The same thought was still echoed in modern times in the sturdy Protestantism of the American Bible Belt. It was felt that gambling which is "fiddling around with the gods of chance implies lack of reverence for the stern dictates of Providence." Another objection to gambling was expressed in those circles. Gambling was "lusting for bread without the attending sweat."[2] This was, as we have seen, called by Muslims one of the uses of gambling, although they also understood it to be something objectionable, because it was a frivolous activity.

Muslim scholars occasionally included gambling among the activities that constituted in their view insolent and illicit human attempts to arrogate to man a knowledge beyond his reach. As explained by the Mālikite al-Qurṭubī, the Qur'ānic reference to divination arrows extends to all sorts of gambling, whether its vehicle is pigeon flying, *nard*, chess, or similar games. Thus, they are a kind of soothsaying (*takahhun*) and "an attempt to claim knowledge of the supernatural" (*at-taʿarruḍ li-daʿwā ʿilm al-ghayb*).[3] However, it is more important for us to realize that Islam had a

[1] Cf. J. Barbeyrac, *Traité du jeu*, I, 26.
[2] Cf. Rufus King, *Gambling and Organized Crime*, 17 f.
[3] Cf. al-Qurṭubī, *Jāmiʿ*, VI, 59, to Qur'ān 5:3/4.

much fresher memory than either Judaism or Christianity of the basic tenet of monotheism that blind fate was not the governing force of everything under the sun. The assertion of purposeful divine control as against the belief of pre-Islamic Arabs in a capricious fate was the main theme of the divine revelation received by the Prophet and the prime cause of Islam's initial spiritual success. The Prophet's inspired vision proclaimed a world which had a definite purpose from beginning to end completely determined by God. That purpose did not permit anything to be left to pure chance. Any gambler, prying into the inscrutable ways of the deity, thereby showed disrespect and incomprehension. Gambling was in a sense a mockery of the divine purpose, in that it took advantage of the human inability to understand it fully. Even more than to the contemporaries of a Barbeyrac, it was shocking to Muslims to see this done in ways that were so little serious.

Awareness of the ancient concept of a blind fate was deeply embedded in the minds of pre-Islamic poets and permeated their poetry. It persisted into Islamic times and found frequent expression in verse. At times, it may have been more a figure of speech than true metaphysical conviction. But many, or most, of those who spoke of the world's dependence on fate and of those who listened to them are likely to have been convinced that they were dealing with a profound and valid metaphysical statement. Since playing and gambling celebrated the power of chance and luck, they were naturally linked to the old inherited view of an all-powerful fate:

> I have seen fate play with the noble youth.
> Two different states turn him round and round:
>
> What is passing is a sleeper's dreams.
> What is remaining is wishes.[4]

This is the way in which the poet expresses the old wisdom of the need of enjoying the present moment, because the past is gone forever and the future is uncertain.

A human being may be serious, while fate is playing.[5] The play

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[4] Cf. az-Zamakhsharī, *Rabī'*, Ms. Brit. Mus. or. 6511, fol. 11b. The poet is Dīk al-Jinn. In the collection of his poems compiled by 'Abd-al-Mu'īn al-Mallūḥī and Muḥyī-ad-dīn ad-Darwīsh, 105 (Ḥimṣ 1960), the verses are quoted from an-Nuwayrī, *Nihāyat al-arab*, where "play" in the first line is replaced by "hurry." The translation of the second line follows the reading of the manuscript of the *Rabī'*, *tuqallibuhū ḥālāni*.

[5] Cf. Ibn al-Fakhkhār al-Mālaqī (d. 539/1144-5), quoted in al-'Imād al-Iṣfahānī, *Kharīdah* (Western poets), II, 336.

of fate causes much of man's life to depend on unpredictable luck and mocks his most serious and determined efforts:

> If luck *(jadd)* does not help, the noble youth's seriousness *(jidd)* is (but) play.
> The most futile efforts are made by those who exert themselves *(jadda)* in search of them.[6]

While knowledge and wisdom are under the complete control of the individual who possesses them, wealth comes to its owner, and leaves him again, as a matter of mere chance. Graeco-Arabic wisdom literature thus lets Solon say to a man of great wealth:

> "My property (which is wisdom and knowledge) can never pass to anyone against my will, and if I give it away, it remains with me undiminished. Your wealth, on the other hand, may pass to someone else, and if you give some of it away, it will be less. It is not different from the dice used for playing. Their sides turn to each one of the players according to chance *(ittifāq)*."[7]

The intelligent man knows that the shares are not proportionate to the stakes risked. Thus, he does not worry when the men in power prefer a fool to him.[8]

Gambling pure and simple was not as commonly associated with fate as were the games and sports most widely practiced. The tenth-century poet ar-Rashīdī al-Lawkarī, for instance, sang:

> Fate plays with the noble youth,
> Just as polo sticks *(ṣawālij)* play with the ball,
>
> Or as a raging gale plays
> With a handful of millet.
>
> Without a nose ring, it leads
> Him to happiness and unhappiness.
>
> Fate is a hunter, and man
> Is nothing but a lark *(qunburah)*.[9]

Also in connection with polo, Abū Nuwās said:

> Till the winner gets the prize.
> The one is grieved, the other glad—
> The same with fate and destiny's disposing.[9a]

Fate and death are inextricably linked, since death is the ultimate

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[6] Cf. al-Ḥaẓīrī, *Lumaḥ al-mulaḥ*, fol. 23a (Ms. Istanbul Topkapısarayı Ahmet III 2344, fol. 18b):

idhā l-jaddu lam tusʿid fa-jaddu l-fatā laʿib
wa-abṭalu saʿyin saʿyu man jadda fī ṭ-ṭalab.

The poet is 'bzwn al-'Umānī (?), on whom I have no further information.

[7] Cf. al-Mubashshir, *Mukhtār al-ḥikam*, 38.

[8] Cf. Miskawayh, *Jāwīdhān khiradh*, ed. 'A. Badawī, 270 (Cairo 1952).

[9] Cf. ath-Thaʿālibī, *Tatimmat al-Yatīmah*, II, 77.

[9a] Cf. Abū Nuwās, *Dīwān*, ed. E. Wagner, II, 257 (Wiesbaden 1392/1972, *Bibliotheca Islamica* 20b).

outcome of fate's play with mankind. The same word *ajal* may have either meaning and be understood to refer to both at the same time. Horse racing and arrow shooting with their uncertain results were appropriate similes for the gamble man has to take with fate and death in this world, as the Spaniard Ibn Shuhayd knew well:

> Fate *(dahr)* has tripped the racers.[10]
> The race horse's swift gallop has never stopped death.
> .....
> The arrows of destiny *(manāyā)* will surely hit the noble youth.[11]

Nard and chess were particularly favored means of describing poetically the world and death and fate:

> Look, and you will see chess revolving like fate
> Day and night, misfortune and blessings.
> Its Mover remains, all the rest of it passes,
> And after annihilation, it is revived and its bones resurrected.[12]

A Persian verse cited by Thomas Hyde made mankind the players and their inescapable fate, meaning death, the croupier:

> This world is the dicing den of the devil. In it,
> We are the players. Fate supervises the numbers thrown.[13]

Little value, said a poet, is to be attached to a world which is nothing but a game of *nard*, depending as it does on the way the dice roll:

> Fate is the player. We the counters are.
> Heaven the dice, our earth the gaming board.[14]

The supposed author of the verse is none other than the towering genius of medieval Islam, Ibn Sīnā. Whether or not he was indeed

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[10] Cf. al-Maydānī, *Arabum Proverbia*, II, 184: "He who races fate is tripped." *Dahr* in the verse is replaced in some manuscripts by *mawt*.

[11] Cf. Ibn Shuhayd, *at-Tawābi' wa-z-zawābi'*, in Ibn Bassām, *Dhakhīrah*, I, i, 218, trans. J. T. Monroe, 60 (Berkeley and Los Angeles 1971, *University of California Publications, Near Eastern Studies* 15).

[12] Cf. al-Ghuzūlī, *Maṭāli'*, I, 78, quoting Badr-ad-dīn Ibn aṣ-Ṣāḥib (ar-Ra'īs b. aṣ-Ṣāḥib al-wazīr Tāj-ad-dīn), a contemporary of Fakhr-ad-dīn Ibn Makānis. For similar verses by Ibn al-Labbānah, cf. Murray, *A History of Chess*, 203; Wieber, *Schachspiel*, 132; al-'Imād al-Iṣfahānī, *Kharīdah* (Western poets), II, 114.

[13] Cf. Hyde, II, 116, who calls them verses "Saúzeni Poëtae":
dunyā qimārkhāne-ye dēw ast wa-andar ū
mā mangiyāgarān wa-ajal naqshbīn-e mang.

[14] Cf. H. Ethé, *Avicenna als persischer Lyriker*, in *Nachrichten von der K. Gesellschaft der Wiss. und der Georg-Augusts-Universität*, 566 f. (Göttingen 1875):
ajal nardbāz ast wa-mā muhre īm
falak ka'batayn wa-jihān takht-e nard.
Cf. also G. Misch, *Geschichte der Autobiographie*, III, ii, siebter Abschnitt, 1005 (Frankfurt a. M. 1962).

the author, can hardly be decided with any certainty. But he might very well have expressed sentiments of this sort when relaxing from serious philosophical work. Such sentiments can certainly be expected to have been expressed by the 'Umar Khayyām of the *Quatrains*. In fact, one of them runs, in E. Fitzgerald's first translation:

> 'Tis all a Chequer-board of Nights and Days
> Where Destiny with Men for Pieces plays:
> Hither and thither moves, and mates, and slays,
> And one by one back in the Closet lays.

Or, according to a later version of Fitzgerald's:

> But helpless Pieces of the Game He plays
> Upon this Chequer-board of Nights and Days:
> Hither and thither moves, and checks, and slays,
> And one by one back in the Closet lays.[15]

The supposedly more literal translation by A. J. Arberry reads:

> A stark and solemn truth I say,
> Not as in parables to preach:
> We are but counters, all and each,
> That Heaven moveth at its play.
>
> We stir awhile, as if at will,
> About the chessboard of the days,
> Till in the box of death Time lays
> Our pawns, to be for ever still.[16]

In fact, more accurate is the translation of L. P. Elwell-Sutton:

> We are the pawns, and Heaven is the player;
> This is plain truth, and not a mode of speech.
> We move about the chessboard of the world,
> Then drop into the casket of the void.[17]

The quatrain speaks vaguely of "playing," but the assumption that chess was uppermost in the poet's mind is highly likely. He speaks, not of nights and days as Fitzgerald has it, but, much more philosophically meaningful, of the gaming board of existence and the box

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[15] Nos. 49 of Fitzgerald's first version, 74 of the second, and 69 of the third through fifth versions. The Persian text reads in the edition of E. Heron-Allen (London 1899):

> *Az rūy-e ḥaqīqatī na az rūy-e majāz*
> *mā luʿbatgānīm wa-falak luʿbatbāz*
> *bāzīche hamī kunīm bar naṭʿ-e wujūd*
> *raftīm bi-ṣundūq-e ʿadam yak yak bāz.*

The text of R. M. Aliev and M.-N. O. Osmanov, no. 173 (Moscow 1959), shows the second line preceding the first. It reads *ḥaqīqat na ki* and, for *raftīm, uftīm.*

[16] Cf. A. J. Arberry, *Omar Khayyám, a new version,* 106, no. 173 (New Haven 1952).

[17] Cf. L. P. Elwell-Sutton's translation of Ali Dashti, *In Search of Omar Khayyam,* 191 (London 1971).

(in which the counters are kept) of non-existence. Heaven is the player. Humans, the counters, have their little game, till they revert to non-existence. All this is not metaphor; it is reality, as things really are. There is no reference to gambling here, or to the caprice of the dice. It is a game played, for all we know, acccording to certain fixed rules of higher reason in which we of necessity are the constant losers. Nevertheless, even here where gambling and chance are kept at a distance, they stay near enough to make their presence, and the incompatibility of the verses with genuine Islamic belief, clearly felt.

The strange mysticism of al-Jilyānī (531-602/1136-1205), whose lifetime coincided almost exactly with that of another Spaniard of a totally different approach to the world, the great Maimonides, compared the attitude of the common people who were unaware of inner meanings to the game played on the checkered board:

> They brought me a prayer carpet. On account of its inlay
> I imagined it to be a board for gambling.
>
> I said: Now, what would one assume to be its army?
> They replied: Minds whose passion is (but) a hangover.
>
> They play with Islam as with rooks,
> And they throw the religious laws around like pebbles at Minā.
>
> Surely, the earth is a prayer carpet and pebbles
> And a stone pavement and reed mats.
>
> But they play with the shells,
> Because they are far removed from the flesh of the fruit.
>
> They carry something external *(ẓāhir)* imposed by blind belief in tradition,
> Just as donkeys carry books (Qur'ān 62:5/5) on their backs *(ẓahr)*.[18]

The army of men on the chess board of the world consists of minds made sick from having had too much heady wine of mundane diversions. They play with Islam as if it were game. They make no

[18] Cf. al-Jilyānī, *Dīwān al-ḥikam*, Ms. Brit. Mus. add. 7560 Rich., fol. 101b. The verses are dated in 599/1202-3:

atawnī bi-sajjādatin khiltuhā
bi-tarṣī'ihā ruq'atan li-l-qimāri
fa-qultu fa-mā dhā turā jayshahā
fa-qālū 'uqūlun hawāhā khumāru
talā'abu bi-d-dīni li'ba r-rikhākhi
wa-tarmī sh-sharā'i'a ramya l-jimāri
a-mā l-arḍu sajjādatun wa-l-ḥaṣā
wa-safḥu l-balāṭi wa-ḥuṣru s-samāri
wa-lākinnahum la'ibū bi-l-qushūri
li-ghaybatihim 'an lubābi th-thimāri
wa-qad ḥamalū ẓāhiran qullidū
ka-mā ḥamala l-kutba ẓahru l-ḥimāri.

progress, because traditional beliefs blind them to the reality and true meaning of religion. Their foolish play is gambling, wrong and useless.

The old comparison of *nard* with the firmament and the course of the world depending on its revolution naturally led to the frequent linking of the game to astrological determinism, as, for instance, in this rhymed riddle:

> What would a "land" be that is like a firmament
> Moved by finger tips and palms,
> Having stars in the number of the month(s of the year)
> Propitious and unpropitious in turns,
> As if hours were revolving
> Its pole at the passing of time.[19]

Everybody is subject to the motions of the stars, whether they bring luck or misfortune. In the same way, the gambler depends on the fall of the dice. His microcosm imitates and confirms the ways in which the world at large and the metaphysical establishment are supposed to operate.

At one moment in the early history of Islam, presumably in the beginning ninth century, if not already in the preceding eighth century, Muslim theological thinking hit upon gambling as a suitable metaphor to illustrate its fundamental concern with free will against predetermination and chance. The serious discussion of the disturbing problem of free will in subsequent times seems to have kept away from the comparison with gambling. However, the authors who spoke of chess and *nard* always came back to it. *Nard*, the true game of chance, shows the player's complete trust in God. Chess which depends on the player's ingenuity and decision thereby proclaims man's freedom from divine predestination. Originally, two variations seem to have been in separate circulation. One of them focused on the element of luck and astrological determinism. It was ascribed to the time of a legendary Indian king of the remote past. *Nard* was invented earlier than chess. It was invented in order to show that no worldly goods are gained through cleverness and skill and that the world bounces human affairs around capriciously. Chess was then invented in order to counter the ideas suggested by

[19] Cf. al-ʿAzāzī, *Dīwān*, fol. 116b:
mā hiya arḍun ka-annahā falakun
tudīruhā anmulun wa-rāḥātu
lahā nujūmun ka-sh-shahri ʿiddatuhā
suʿūduhā wa-n-nuḥūsu tārātu
ka-annamā quṭbuhā tadūrū bihī
ʿalā mamarri z-zamāni sāʿātu.

nard. It shows that success goes to the prudent individual, while misfortune befalls the ignorant person. The oldest available source here is the late ninth-century al-Ya'qūbī,[20] followed closely in time by al-Mas'ūdī.[21] The other version did away with those pre-Islamic Indian trappings and came right out with the application to the Muslim situation. It declared chess to be representative of the Mu'tazilah view, while *nard* expressed the *jabrī* belief in predetermination. In al-Mas'ūdī's words, "one of the speculative theologians considered the inventor of chess a Mu'tazilite (*'adlī*) and as having control over his own actions, and the inventor of *nard* as acting under constraint (*mujbar*) and showing by his game that he cannot do anything on his own but is active according to the dictates of predestination (*qadar*)."[22]

The two strains had already grown together in the *Risālat ḥikmat waḍ' an-nard wa-sh-shiṭranj* by Abū Zayd al-Balkhī (ca. 236-322/850-934),[23] al-Mas'ūdī's considerably older contemporary:

> "The sages have always followed the custom of expressing obscure intellectual matters through similes and forms (pictures) amenable to observation by the senses, in order to make them easier to understand, since the clearest and soundest proof is always such direct observation. Often they contrived[24] to invent things which outwardly were an amusement for the common people, while their inner meaning served to train the minds and senses of the elite. The purpose was to utilize the eagerness of the ignorant mass as a means to achieve wider and more general usefulness. For the sense of hearing, they thus invented

[20] Cf. al-Ya'qūbī, *Ta'rīkh*, I, 99 ff.

[21] Cf. al-Mas'ūdī, *Murūj*, I, 157 f., also VIII, 320. Al-Mas'ūdī was used by authors such as an-Nuwayrī, *Nihāyat al-arab*, XIV, 321.

[22] Cf. al-Mas'ūdī, *Murūj*, VIII, 320.

[23] Cf. Abū Zayd al-Balkhī, in Ms. Istanbul Topkapısarayı Ahmet III 1541, fol. 724a-b. The manuscript is an enormous collection of dozens of works written on the text pages and in the margins, cf. the description in Cat. Karatay 8683. For al-Balkhī's work, cf. Wieber, *Schachspiel*, 27, 38, 151, 491. The text is reproduced in the *Libro del Ajedrez*, published by Pareja Casañas, I, text 10-12, trans. 10-12. The remainder of al-Balkhī's discussion, covering one more folio in the Istanbul manuscript, is also resumed in the *Libro del Ajedrez*, I, text 12-15, trans. 12-16. The quotation in the *Libro del Ajedrez* is quite accurate. Some of the changes made in it reflect a changed religious climate. Al-Balkhī was also quoted by Ibn Bābah, *Ra's māl an-nadīm*, Ms. Istanbul Turhan Velide Sultan 234, fols. 127a-131a.

The book on the wisdom of *nard*, with which Abū Bakr ar-Rāzī, a contemporary of al-Balkhī and al-Mas'ūdī, is credited (above, Ch. II, n. 168), most probably dealt with the same subject and, if it were preserved, could be expected to shed much light on the origin of the dogmatic debate.

[24] The Ms. has *yaḥtājūn ilā* "need," which is perhaps more correct than *yaḥtālūn li-* found in the *Libro del Ajedrez*.

the musical instruments, for vision, artistic clocks, and for speech, the insertion into the narrative of stories based on various kinds of proverbs and facetious anecdotes.[25] The games of *nard* and chess belong into this category, because they were so arranged that outwardly they were an amusement for the common people. Substitutes for them of the same excellent order and suitability for gambling are not to be found in ancient and modern times.[26] They were therefore enthusiastically welcomed by all nations and spread among them. The Greek, Persian, and Indian races *(jīl)* boasted of having invented them.

Their inner meaning is intended to turn around the clarification of mankind's most important moot problem, the problem of *qadar*[27] versus *jabr*, free choice versus compulsion. Since ancient times, the official representatives[28] of all religious groups and persuasions have differed with respect to this most difficult and vexing problem. One group says that human movements, actions, and efforts and man's happiness and unhappiness, his success and failure consequent upon them, take place under compulsion *(ijtibār wa-ḍṭirār)* for a reason, external to them and their power, which gives and withholds. (A subdivision composed of[29]) the religionists holds that the external reason is the destiny determined by God which cannot be repelled, while (that composed of) the naturalists holds that that reason is depending on the propitious and unpropitious lots of the spheres *(as-sihām al-falakīyah)*.

The other group says that all the unhappiness and happiness, the success and failure coming to human beings through their movements and actions, result from their good or bad choice and their successful[30] and futile activities. This brought about the appearance of the religion of the Zoroastrians *(majūs)* and dualists. They posited two agents for unhappiness and happiness, failure and success. The Zoroastrians assumed two primeval principles, Yazdān and Ahriman, the dualists, light and darkness.

The inventor of *nard* imitated the first school by means of the rules of his game, putting the two dice in the place of the external reason that allows no efforts to be made except in accordance with what it gives and grants.[31] He thus made it patently clear how the more

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[25] *Wa-dhālik fī ḥiss* (Ms. *ḥ's*) *al-masmū' ka-ālāt at-ta'līf wa-fī ḥiss al-manẓūr ka-<l->ālāt al-badī'ah fī ma'rifat as-sā'āt wa-fī ḥiss al-manṭiq ka-taḍmīnihim ḍurūban min al-kalām aḥādīth mu'allafah fī ḍurūb al-amthāl wa-l-khurāfāt.*

[26] *Fa-innahū lam yūjad min qadīm az-zamān wa-ḥadīthihī lu'batān badalahumā min ḥusn at-ta'biyah wa-wujūb al-qamr bihimā.* The *Libro del Ajedrez* has, "Nothing can be found in ancient and modern times that compares to chess and *nard* as to beautiful arrangement (*naṣbah*, referring to the combination of plays available in the game) and suitability (read *wa-wujūb* ?) for play. However, one is forbidden, and the other is permitted." Perhap, *wa-wujūb (wa-wujūd)* was originally *wa-jūdat* "excellent gambling (play)" in both cases (?).

[27] Here, "free will," referring to the Mu'talizah designated as Qadarīyah.

[28] Read *al-mutadayyinūn*.

[29] The words in brackets are a useful addition in the *Libro del Ajedrez*.

[30] Read *ḥarfihim* ?, *ḥirafihim* ?

[31] One would expect "takes."

ignorant and less likely individual may win out over the more deserving and potent one, and how the incapable individual, if favored by the external cause, may succeed, while the prudent individual, if abandoned by it, may be frustrated. The one succeeds in obtaining and concentrating his position *(khuṭūṭ* ?), whereas the other is frustrated and confused in his activities and left behind.[32]

The inventor of chess, in turn, imitated the second school by means of the rules of his game, not positing an external reason for actions but giving the players equivalent tools as substitutes for the powers established in man and having everything depend on choice in their use. It is clear how difficult things become for (the person making a bad choice) and how his opponent *(gharīm)* gains control over his position *(khuṭūṭ* ?), although the tools are the same, and eventually defeats *(q-m-r)* him.[33] It is comparable to warfare, the most important business in the world, where good management and bad choice lead, respectively, to salvation and perdition. The fact that in this most important business, success obviously depends on good management, and lack of success on faulty management, indicates that all other activities and ways of making a living must be similar to it."

It is striking that the reports on the philosophical-dogmatic significance of chess and *nard* refrain from passing any sort of value judgment. Al-Balkhī's reference to Zoroastrianism and dualism in connection with free choice (chess) is not counterbalanced by any stress on Islam in connection with determinism (*nard*). The Muslim case against *nard* has always been stronger than the one against chess. Here, too, chess probably was the more acceptable game. Its Muʿtazilī character may, therefore, have been meant to be an argument in favor of Muʿtazilism, as against the "orthodox" Muslim *nard* view of the world, and it could have been the brilliant invention of one of the proponents of Muʿtazilah views.

It is quite possible that doctrinal considerations with respect to free will were behind the often quoted statement attributed to Ibn ʿUmar that "chess is worse than *nard*." It was usually explained along lines already indicated by Ibn Abī d-dunyā. In the first place, *nard* is not as mentally absorbing as is chess, which thus is more likely to lead to the non-observance of the prayer times. And in the second place, it does not give rise to as many disputes and quarrels. Ibn Abī d-dunyā maintains that Ibn ʿUmar naturally knew that the strict prohibition of *nard* was something generally agreed upon, while chess was viewed much more leniently. Thus, his paradoxical

[32] *Khuṭūṭ*, here and below, may possibly refer to the rows of squares on the chess board, unless it has to be read *ḥuẓūẓ* "portions."

[33] *Libro del Ajedrez:* "Thus he showed clearly how the individual making a good choice may defeat the one making a bad choice and how he may make things (or, things may become ?) difficult for him."

contention that chess is worse than *nard* was meant to caution against chess playing in view of those two serious drawbacks.[34] However, we may suggest that the remark was in fact prompted by some forerunner of the debate we find in al-Balkhī in elaborated form, and was a protest against chess as the alleged reification of the dogma of free will. Much later, as-Sakhāwī may have felt something of the sort when he brought the Mālikite statement that "chess is more fun (*alhā*) than *nard*" into relation with the old debate.[35]

That debate did not spill over into the oldest literature on chess, if we can rely on the excerpts that are preserved in manuscript. Although the origin of that literature can be dated back to the eighth century, it probably did not antedate it, so that the reason why it is not mentioned there appears to be not chronology but its highly dubious value as a recommendation for the game. It appears in the later chess literature and is also reflected elsewhere. According to aṣ-Ṣafadī, Ibn Taymīyah is supposed to have said that "playing *nard* was better than playing chess, because the *nard* player acknowledges predetermination (*al-qaḍā' wa-l-qadar*), while the chess player denies it and is thus closer to Mu'tazilism."[36] Aṣ-Ṣafadī finished his report of the statement on a note of doubt ("or so he said"). In fact, it occurs in the much later as-Sakhāwī without attribution. As-Sakhāwī may have omitted the name of Ibn Taymīyah on purpose, but it would seem more likely that the statement had long been in anonymous circulation. Ibn Taymīyah in fact quoted an existing dictum, in order to show that not only *nard* but also chess was highly objectionable. He expressed himself in favor of the view that chess was worse than *nard* with or without compensation (*'iwaḍ*), "because it has all the corruptive features of *nard* and more, such as barring the heart from the remembrance of God and from prayer and the like: therefore, it has been said that chess follows the doctrine of *qadar*, while *nard* follows the doctrine

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[34] Cf. Ibn Abī d-dunyā, *Dhamm*, 35, 57 f.

[35] Cf. as-Sakhāwī, *Shiṭranj*, fol. 30a. As-Sakhāwī has reference to the end of Ibn Abī Zayd's *Risālah fī furū' al-Mālikīyah*. This is not the passage in the famous *Risālah*, 324 f. For certain Mālikites considering chess worse than *nard*, cf. Wieber, *Schachspiel*, 182. Cf. also above, p. 93.

[36] Cf. aṣ-Ṣafadī, *Ghayth*, II, 52; Wieber, *Schachspiel*, 192 f. The Ṣafadī passage was already known to Hyde, II, 52-54. From another source much used by him, the Bodleian manuscript of Ibn Sukaykir (above, Ch. IV, n. 116), Hyde, II, 54-56, quotes a brief reference to free choice and predestination.

of *jabr*, seeing that the heart is more occupied with thinking in chess."[37] As-Sakhāwī spoke of the more detrimental influence of chess on the mind, in the sense that chess "requires weighing (*taqdīr*) and counting the moves before making them, in contrast to *nard* where the player does the counting afterwards."[38] And he adds: "It has therefore been stated that chess is built upon Mu'tazilah doctrine (*madhhab al-qadar*), while *nard* is built upon determinist doctrine."[39]

A further step in the development of the doctrinal view of chess and *nard* is also attested by aṣ-Ṣafadī. He says that with respect to the *nard* player, the dice act like predestination and work at times for him and at other times against him, while he moves the counters as the pips require. "But if the *nard* player possesses good judgment, he knows how to manage and how, through cleverness, to win and to defeat his opponent, while abiding all the time by the decision of the dice. This agrees with Ash'arite doctrine." Quoting this remark of aṣ-Ṣafadī, al-Qalqashandī cautiously added that *nard* was forbidden by the religious law, lest he left the reader with the impression that in theory at least, he approved of it.[40] Aṣ-Ṣafadī was certainly not the first to make the tripartite division between skill, luck, and a mixture of both in playing games. In the *Libros de acedrex, dados, e tablas* of Alfonso el Sabio (1221-1284), it is stated that chess depends on reason, dicing on luck, and board games played with dice (such as backgammon) on a combination of reason and luck.[41] It is a reasonable assumption that in the Muslim world, the comparison of the third type with Ash'arism was also made long before the time of aṣ-Ṣafadī.

As far as the official Muslim attitude toward gambling was concerned, the debate about the metaphysical meaning of chess and *nard* remained what it had been from the start, a jeu d'esprit, a witticism, albeit one with a sharp dogmatic edge. Not many people, if anybody, would have dared to argue on the basis of it that gambling as such was a good thing indicative of moral and religious rectitude. However, in one vast segment of Muslim religious life,

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[37] Cf. Ibn Taymīyah, *Fatāwī*, II, 9.

[38] This statement also appears in az-Zarqūnī's Commentary on Mālik's *Muwaṭṭa'*, IV, 357.

[39] Cf. as-Sakhāwī, *Shiṭranj*, fol. 30a.

[40] Cf. aṣ-Ṣafadī, *Ghayth*, II, 52; al-Qalqashandī, *Ṣubḥ*, II, 141. Cf. also the note in the *Libro del Ajedrez*, mentioned above, Ch. II, n. 269.

[41] Cf. A. Steiger's edition (above, Ch. II, n. 97), 6-10.

we do indeed encounter occasionally a wholehearted approval of the symbolic gambler who recklessly gambles away all he possesses. This was in Ṣūfism. Only the daring imagination of the mystic would have ventured to turn convention around to such an extent. And apparently, only the mystics who were at home in the Iranian orbit did that. A pious orthodox theologian would no doubt approve of the sentiment that the sinner is closer to God's mercy than anybody else, and if he was mystically inclined, he might express the deathbed wish to be buried on the hill where winedrinkers, thieves, and, among still more types of sinners, also gamblers lay buried. But it took a convinced mystic to claim that the true prince of gamblers, the gambler who does not stop gambling before he has lost everything he owns (*pākbāz*) down to the shroud intended for his burial, is symbolic of the mystic's greatest virtue and most essential accomplishment, his freeing of himself from all the material impediments on his way toward union with the divine.[42]

Al-Qushayrī had already argued that the prohibition of *maysir* in the Qur'ān was an indication of the total defeat of the mystic, as far as this world is concerned:

> "*Maysir* is forbidden in the religious law. In the law of love, the people (i. e., the Ṣūfīs) are subjected (*maqhūr*, i. e., they are losers when lots are cast and gambling for material gain is done). This is hinted at in Qur'ān 5:90-91/92-93. Their bodies are cast away on the streets of predestination, trampled upon by anyone returning from the source of the things predestined who happens to pass by. Their spirits can be disposed of freely according to the legal rule of subjection. The lot of legal ruling has come out against them (cf. the story of Yūnus, Qur'ān 37:141/141)."[43]

Such total defeat was the precondition for the mystic's success in his quest of the divine and his liberation from the ordinary conventions of religion and society. In the gamble of the world, only the loser was the true winner.

The one thing that nobody has the right to gamble away is his religion. There was a Jew who lost everything in the dicing den, his money, his house, his garden, and even one of his eyes, but he did

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[42] Cf. H. Ritter, *Das Meer der Seele*, 304, 202. In conservative works on the lives of the pious such as Abū Nu'aym al-Iṣfahānī's *Ḥilyah*, gambling has no place whatever. *Qimār* is mentioned once with reference to horse racing, in connection with Sufyān ath-Thawrī's transmission of the Prophetical tradition on *jalab* and *janab* (*Ḥilyah*, VII, 118, cf. *Concordance*, I, 353b; Lane, 464c). Another incidental reference to race horses: *Ḥilyah*, VI, 161.

[43] Cf. al-Qushayrī, *Laṭā'if al-ishārāt*, II, 140 f.

not gamble away his religion and did not become a Muslim.[44] Again, the lesson for Muslims is clear. All the material goods of this world are of no account and may be squandered. Indeed, they should be squandered with the carefree abandon of the compulsive gambler. However, no man should risk his relationship to God and the loss of his spiritual well-being.

Whether gambling was seen as good or bad from the metaphysical point of view, the important fact is that its relationship to the realm beyond material concerns was at times clearly perceived and, more often, felt instinctively. This, it would seem, exercised a greater influence upon the actual practice of gambling in Muslim civilization than all the pronouncements of the guardians of law and tradition. If gambling was "a kind of question addressed to destiny,"[45] it had no place in a view of the world that knew that no such question must ever be asked. If it was, it was at the peril of one's salvation, and it showed complete disregard for what human life was meant to be. A Muslim could not have avoided being at least dimly aware of this implication of gambling. He would never have been comfortable in defying social organization and beliefs to such an extent, if he could help it. Gambling aroused a deep-seated feeling of metaphysical guilt which tended to inhibit the natural instinct for it, although it was unable to suppress it.

[44] Cf. H. Ritter, *Das Meer der Seele*, 294.
[45] Cf. T. Reik, in Ploscowe and Lukas (eds.), *Gambling*, 94.

CHAPTER SEVEN

A NOTE ON HAZARD

The basic features of most types of games are identical or very similar. Moreover, they are extremely ancient in the history of mankind. This makes it very difficult to trace borrowings. A game that is introduced into a new environment may be conflated with one having existed there for ages. Thus, later generations are all too easily confused as to where its origin has to be sought.

Linguistic indications are important by themselves. They become especially revealing when they are not isolated but are supported by evidence from characteristic features belonging to a given game. Chess is the most striking example. Even if we were poorly informed about the non-Western history of the game, we would have no doubt that its appearance in the West was the result of borrowing.

The four-suit card game familiar in the West has now been safely recognized as having been borrowed from Near Eastern civilization. Playing cards that are clearly the prototype of the Western cards have been discovered, and the process of borrowing can be located in an area where it was geographically and culturally possible. In addition, some linguistic evidence at least is provided by Italian *naibi*, Spanish *naipes*, for playing cards.[1]

Qirq made the transition into Spanish in the form *alquerque*. This would seem to suggest that the game of merels in a number of variations entered the West from the Near Eastern cultural orbit. However, it may have met in the West with similar games already existing there.

If there is no corroborative evidence, linguistic data are to be treated with great caution. Italian (Tuscan) *minchiate* was once thought to be derived from Persian *mang*, *mangiyā*.[2] The words are indeed very similar in sound, but there is nothing to show the existence of any typological relationship, and the question remains how a Persian word could get to Tuscany and be adopted there for a specific kind of game. Linguistic coincidences are expectedly not

[1] See above, Ch. II, n. 264.

[2] Cf. K. Himly (above, Ch. II, n. 268).

uncommon. Indian *prāśa(ka)*, *pāśa(ka)*, *pāsa(ka)* "dice" sounds like Ar. *faṣṣ*, Spanish *dado* like Ar. *dad* (above, Ch. II, n. 13).[3] Someone who wishes to lose himself still further in the realm of fancy might point to the fact that Ar. *qamara* is close in sound to old English *gaman*, and also to *gammon*, supposedly a variant of *gaman*, attested from the seventeenth century on. Nor would it be difficult to find an Arabic dialect in which *qimār* sounded like **'mōr* and thus was quite similar to (southern) Italian *mor(r)a*, a game apparently similar to the guessing game called *kharīj* in Arabic.

Not only the history of games but also the origins and etymological connections of the names under which they are known are usually obscure, and this adds to the general uncertainty. Clearly, games wandered around the world losing their original names and, in general, any tangible indication that would assure us of the fact of borrowing. This was undoubtedly the case with Near Eastern games (and the particular rules according to which they were played) in relation to games in the West. However, two extremely important Western words associated with the idea of gambling stand a good chance of being of Near Eastern origin. One of them is "risk." The identity in form and the discernible history of the word in the West speak strongly for its derivation from Ar. *rizq* "sustenance."[4] The borrowing, if indeed there was one, took place within the commercial sphere. The extension of meaning which turned it into an appropriate term to be employed in connection with gambling was, it seems, a strictly Western development.

The other term is "hazard." Its possible Arabic origin has been discussed extensively for over a century and is now often presented as a fact. If it can be proved, it may very well be said that Western gambling got its name from the Muslim world—which does not mean, though, that anything more than just a word is involved. But can it be proved? The English word "hazard" goes back to a

[3] Cf. H. Lüders, *op. cit.* (above, Ch. III, n. 11), 16, and, for *faṣṣ*, above, Ch. II, n. 134. The great Golius may be forgiven for having suggested the derivation of *dado* from *dad* (*Lexicon Arabico-Latinum*, 808). Cf. G. B. Pellegrini, *Gli arabismi nelle lingue neolatine*, 97 (Brescia 1972). Pellegrini also discusses another very doubtful Arabic etymology in the field of games (*pari e caffo*) and agrees to the derivation of *zara* (hazard) from *zahr (zahār)*, as does F. Nasser, *Emprunts lexicologiques du français à l'arabe*, 202 f. (Beirut 1966).

[4] Cf. H. and R. Kahane, in *Verba et vocabula, E. Gamillschegg zum 80. Geburtstag*, 276-283 (Munich 1968), and B. Z. Kedar, in *Studi Medievali*, X/3 (1969), 255-259.

French form. The earliest attestation of the word is found in French where it occurs already in the twelfth century; in English, it first appears around 1300.[5] The forms without final *d* in the Southern Romance languages, such as Spanish *azaro*, are generally considered to be related. This assumption is no doubt correct, as is the assumption that those forms are the more original ones, the initial *h* and final *d* being later modifications.

The scholarly discussion of the etymology of hazard began in earnest in 1853 when F. Diez had this to say in his *Etymologisches Wörterbuch der romanischen Sprachen*, p. 33 (*s.v.* azzardo):

> "Weder dem buchstaben noch dem begriff genügt arab. *'darr* [i. e., *ḍarr*] schade Freytag III,10b. Besser in beiden beziehungen passt hebr. *zarah* bedenkliche sache: ihm aber würde eher ein roman. feminin entsprechen, das sich nur in dem erwähnten neuital. *zara* findet. Man erwäge daher noch arab. *jasara* würfeln, *jasar* würfelgesellschaft, würfelpartie, dem man den vorzug vor allen zuerkennen dürfte (denn arab. *s* [sin] kann roman. *z* werden), wäre der wegfall des anlautes so leicht hinzunehmen; in *jasmin* findet er nicht statt."

In the second edition of his work (Bonn 1861), Diez referred with justified disapproval to J. von Hammer-Purgstall who had meanwhile suggested that Spanish *"azar (sors inopinata)"* might go back to *assr* "difficulty" (he wrote *al-'aṣr* but presumably meant *'usr*).[6] It could hardly be claimed that the discussion of hazard went off to a good start, considering the suggestions just mentioned which in hindsight seem plain foolish. The combination of hazard with *yasara*[7] yields hardly more than agreement with respect to one letter, the *r*. Even worse, *yasara* and its derivations (including *maysir*) were known only as faded literary reminiscences in the environment in which the borrowing might have taken place. Strangely enough, it seems still to have been considered a possibility as late as 1927.[8] However, it can be safely ruled out.

K. A. F. Mahn, writing in the mid-fifties of the nineteenth century, quoted Diez *in extenso* but preferred another etymology:

> "Vom arab. *şehār* [i.e., *zihār*] der Würfel. (Das Wort findet sich in der Form *şar* auch im Türkischen, und wird in den Wbb. von Kieffer und

[5] Cf. *Oxford English Dictionary*, V, 136a.

[6] Cf. J. von Hammer-Purgstall, *Über die arabischen Wörter im Spanischen*, 112 (Vienna 1854 [1855], *Sitzungsberichte der k. Akad. d. Wiss., philosoph.-hist. Classe* 14).

[7] It is also mentioned as a possibility in the *Vocabulario degli Accademici della Crusca*, I, 908a (Florence 1863).

[8] Cf. K. Lokotsch, *Etymologisches Wörterbuch der europäischen ... Wörter orientalischen Ursprungs*, 170 f. (Heidelberg 1927).

> Handscheri für ursprünglich türkisch gehalten, allein mit Unrecht; es ist aus dem arab. *şehār* zusammengezogen). Arabisch heisst zwar jetzt der Würfel *kā'b*, entlehnt von *kybos, cubus*, denn es heisst auch *kube, corps cubique*, allein in den vulgärarab. Wbb. findet sich nur *şehār* für Würfel, z.B. bei Hélot, Humbert p. 90 (dort *şehar* mit kurzem *a*), Canjes: *şehār* und *şār*; offenbar von der Wurzel *şahara* (Freytag, 2, 261) glänzen, weiss, schön sein. Mit dem Artikel *al* ... entsteht *aşşahar* und *aşşār*, so dass das Provenz., Span. und Portug. das arab. Wort mit dem Artikel, und ital. *zaro, zara* dasselbe ohne Artikel am treusten darstellen."[9]

This equation of hazard with a supposed colloquial Arabic *zahr* "dice" was taken up by W. H. Engelmann in his *Glossaire des mots espagnols et portugais dérivés de l'arabe* and promoted by R. Dozy's recasting of Engelmann's work.[10] It is widely accepted today, as shown, for instance, by its adoption in standard English dictionaries and encyclopaedias in current use (although some prefer the Persian-Turkish word). Vol. XIX (*Orientalia*), 203b-205b, of *Französisches etymologisches Wörterbuch*, begun by W. von Wartburg, which appeared in Basel in 1967, presupposes the correctness of the derivation in its entry *zahr*. However, some excellent scholars have preferred not to say anything about hazard as a possible loan from Arabic.[11]

Turkish *zar* means "dice," and so does Persian *zār*. No study appears as yet to have been made of the history of either word and its earliest attestation. While the older view, as represented by Steingass, 606a, was that the Persian word was a loan from the Turkish, it has been pointed out that there are no genuine Turkish words beginning with *z*; therefore, the likelihood is that Turkish *zar* is a loanword from Persian.[12] In connection with the Persian-Turkish word, Greek *zari (azari)* must be considered as a potential clue for the determination of the date for the possible westward march of

[9] Cf. K. A. F. Mahn, *Etymologische Untersuchungen auf dem Gebiete der romanischen Sprachen*, 7 (Berlin 1863 [1854-1882]). Needless to say, repeated borrowing, as implied in Mahn's concluding sentence, is out of the question in this case.

[10] Leiden 1861, 70, and Leiden 1869, 224.

[11] Cf. E. Littmann, *Morgenländische Wörter im Deutschen*, 2nd ed. (Tübingen 1924); A. Steiger, in his edition of Alfonso el Sabio, *Libros de acedrex, dados e tablas* (1941), and *idem, Origin and Spread of Oriental Words in European Languages* (New York 1963), although he appears to have favored the Arabic derivation in his earlier *Contribución a la fonética del hispanoárabe*, 271 (Madrid 1932); E. K. Neuvonen, *Los arabismos del espanol en el siglo XIII* (Helsinki 1941).

[12] Cf. G. Doerfer, *Türkische und mongolische Elemente im Neupersischen*, III, 215 (Wiesbaden 1967, *Veröffentlichungen der Orientalischen Kommission* 20).

the term. According to Renée Kahane, a traditional etymology deriving *zari* from *ozarion*, supposedly a diminutive of *ozos* "knot (in wood)," is now being abandoned by Greek scholars in favor of an oriental derivation.[13] As far as can be established from the data at hand, *zari* is attested in Greek not before the fourteenth century. Thus, a Greek loan from Turkish *zar* would seem the most likely assumption. The prothetic *a* in *azari*, in her view, can be explained as an inner Greek development (pl. *tazaria*: sg. *azari*), so that it would be unnecessary to fall back upon the Arabic definite article.

While the Persian-Turkish word no doubt was in use early enough for it to have been around when hazard made its appearance in the West, the presence of the word in Western Europe could not be explained without the assumption of an Arabic intermediary. A direct loan from Persian, let alone Turkish, in the twelfth century is not a serious possibility.

The meaning of "dice" for *zahr* (or *zihār*?, presumably a plural), the ordinary Arabic word for "flower," is, as is usually pointed out, not well established. If it did indeed exist, its phonetic correspondence, if provided with the definite article, to Spanish *azaro* is unassailable. According to R. Dozy's *Supplément*, I, 608, *zahr* in the meaning of "dice" is listed in the dictionary of E. Bocthor (3rd ed., Paris 1864), *zihār* in the Algerian pocket dictionary of Hélot (Algiers, n. y., first edition Paris 1847), and *zahr an-nard* "*nard* counters" in the *Moḥīṭ* (Beirut 1870).[14] Even assuming that the compilers of these dictionaries reproduced an actual usage correctly and independently of one another, we would need further evidence to show that such a usage was common already in the Arabic spoken in the West in the early Middle Ages. We have to admit that our knowledge of that Arabic is very limited in general, and much more so as far as vulgar speech and gambling slang are concerned. Yet, the meaning of "dice" for *zahr* cannot be considered proven, unless we have at least some evidence for it from earlier times. Some such evidence may possibly be found in the *Dīwān* of at-Talla'farī (who,

[13] Cf. N. P. Andriotis, who in the second edition of his *Etymologiko lexiko tês koinês neoellênikês* of 1967 assumes Arabic origin. I wish to thank my old friends, Henry and Renée Kahane, for the valuable information they kindly gave me.

[14] The first edition of Bocthor's *Dictionnaire français-arabe*, which dealt with Egyptian Arabic, appeared in Paris 1828-1829. I assume (but was unable to check) that it already contained the information on *zahr* "dice". Our earliest reference is Cañes's *Diccionario*, I, 467b (Madrid 1787): *zhr aṭ-ṭwlh, z'r, zyq* (!). His sources remain to be discovered.

however, lived in Syria). The old printed text shows *zahr* used in a verse where the meaning of "dice" is rather clearly indicated. However, in his quotation of the verse, al-Kutubī has *qamr* instead of *zahr*.[15] Since I failed to locate the verse in the Escorial manuscripts of the *Dīwān*, the actual text must remain in doubt for the time being. *Zahr* looks very similar to *rahn*, but since *rahn* could only mean "stake," the word does not fit well into the context where the poet apparently had in mind some sort of gambling equipment he wishes to hold in his hand. This objection also applies to *qamr* which would refer to the activity of gambling (or, perhaps, to the gambling winnings), and at any rate, *qamr* may owe its existence to the rather natural substitution of a better known word for a less common one.

If Arabic *zahr* in fact acquired the meaning of "dice," it probably came about through an adaptation of the Persian word *zār*[16] to an Arabic word which sounded similar and lent itself to pleasant associations. Flowers and gardens, in conjunction with wine and games, commonly expressed the idea of joyous and restful relaxation in the imagery of poets. It would have been most appropriate for the gamblers' slang to designate their dice as flowers and thereby evoke all the poetical connotations of the word. It is all but impossible to assume, as was done by Mahn, that things went the other way and Arabic *zahr* "flower" was transformed into Persian-Turkish *zār* "dice." However, it should be understood that the relationship between *zār* and *zahr* remains totally conjectural. There could have been other reasons why "flower" took on the meaning of "dice," if in fact it did.

It could also be doubted for semantic reasons that *azaro* was derived from *zahr* "dice." The word was used in Spanish for certain plays involving particular throws of the dice. We also find *reazar*, apparently an inner Spanish extension of the word.[17] Although the general usage of "hazard" is attested earlier, the restricted meaning was presumably the one in which the word was originally employed and which developed in common speech in the direction of risky gambling, that is, "hazard." In this case, it may legitimately be

[15] *Fa-l-ka'su wa-z-zahru laysa yakhlū—minhā yamīnī wa-lā yasārī.* Al-Kutubī has *wa-l-qamru* and *minhum* (?). See above, Ch. V, n. 50.

[16] Cf. A. Barthélemy (and H. Fleisch), *Dictionnaire arabe-français*, 505 (Paris 1934-1954). It is obvious that the references of the *Dictionnaire* to *zahr* "dice" were taken from the older lexicons.

[17] Cf. Alfonso el Sabio (above, Ch. II, n. 97), 300-303, 362 ff.

asked why *zahr* "dice" should have been adopted into Spanish in a very narrow and specific technical meaning.

Everything considered, the Arabic etymology of "hazard" cannot be claimed to be an established fact. After all, *azaro* could also be a still unexplained (and, probably, unexplainable) gambling word of native Romance origin, and it was only by chance that it sounded similar to a possible Arabic prototype. However, Muslims, in Spain as elsewhere, were greatly addicted to *nard* as the principal dice game. Thus, it would have been quite natural for the one or other Arabic gambling term to enter popular speech. For many scholars, this probably is as good a reason as any for clinging to the hope that the Arabic derivation of "hazard" will eventually be confirmed. Whether or not this will ever happen, there is enough evidence to show that the flow of gaming knowledge from the Muslim world to Western Europe was a noticeable ingredient in the vast cultural interchange that characterized the Middle Ages and left a lasting mark upon world civilization.

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